

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

5-24-13

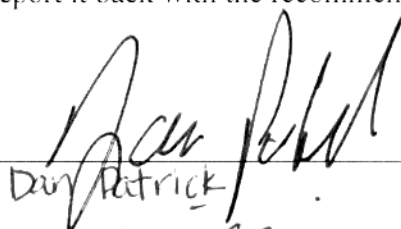
Date


Honorable David Dewhurst
President of the Senate

Honorable Joe Straus
Speaker of the House of Representatives

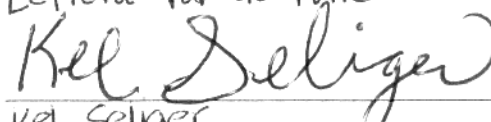
Sirs:

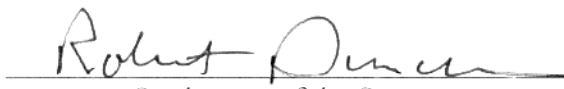
We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on HB 5 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

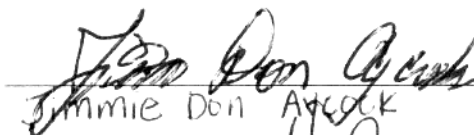

Dan Patrick

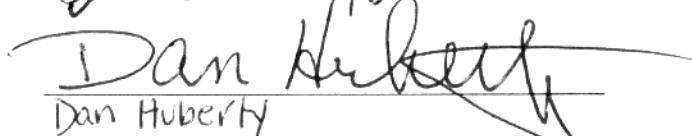

Tommy Williams

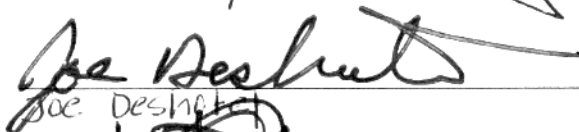

Leticia Van de Putte



Kel Seliger

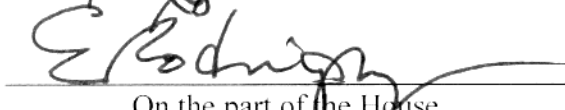

Robert Duncan
On the part of the Senate


Jimmie Don Aycock


Dan Huberty


Joe Deshotel


Larry Gooden


Eddie Rodriguez
On the part of the House

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

CONFERENCE COMMITTEE REPORT

3rd Printing

H.B. No. 5

A BILL TO BE ENTITLED

AN ACT

relating to public school accountability, including assessment,
and curriculum requirements; providing a criminal penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. (a) Section 7.010(c), Education Code, is amended
to read as follows:

(c) The electronic student records system must permit an
authorized state or district official or an authorized
representative of an institution of higher education to
electronically transfer to and from an educational institution in
which the student is enrolled and retrieve student transcripts,
including information concerning a student's:

- (1) course or grade completion;
- (2) teachers of record;
- (3) assessment instrument results;
- (4) receipt of special education services, including
placement in a special education program and the individualized
education program developed; and
- (5) personal graduation plan as described by Section
28.0212 or 28.02121, as applicable.

(b) This section applies beginning with the 2014-2015
school year.

SECTION 2. (a) Section 7.062(e), Education Code, is amended
to read as follows:

(e) The rules must:

(1) limit the amount of assistance provided through a grant to not more than:

(A) for a construction project, \$200 per square foot of the science laboratory to be constructed; or

(B) for a renovation project, \$100 per square foot of the science laboratory to be renovated;

(2) require a school district to demonstrate, as a condition of eligibility for a grant, that the existing district science laboratories are insufficient in number to comply with the curriculum requirements imposed for the distinguished level of achievement under the foundation [~~recommended and advanced~~] high school program [~~programs~~] under Section 28.025 [~~28.025(b-1)(1)~~]; and

(3) provide for ranking school districts that apply for grants on the basis of wealth per student and giving priority in the award of grants to districts with low wealth per student.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 3. Subchapter C, Chapter 7, Education Code, is amended by adding Section 7.064 to read as follows:

Sec. 7.064. CAREER AND TECHNOLOGY CONSORTIUM. (a) The commissioner shall investigate available options for the state to join a consortium of states for the purpose of developing sequences of academically rigorous career and technology courses in career areas that are high-demand, high-wage career areas in this state.

(b) The curricula for the courses must include the

1 appropriate essential knowledge and skills adopted under
2 Subchapter A, Chapter 28.

3 (c) If the commissioner determines that joining a
4 consortium of states for this purpose would be beneficial for the
5 educational and career success of students in the state, the
6 commissioner may join the consortium on behalf of the state.

7 SECTION 4. (a) Section 12.111(b), Education Code, is
8 amended to read as follows:

9 (b) A charter holder of an open-enrollment charter school
10 shall consider including in the school's charter a requirement that
11 the school develop and administer personal graduation plans under
12 Sections [Section] 28.0212 and 28.02121.

13 (b) This section applies beginning with the 2014-2015
14 school year.

15 SECTION 5. (a) Section 25.083, Education Code, is amended
16 to read as follows:

17 Sec. 25.083. SCHOOL DAY INTERRUPTIONS. (a) The board of
18 trustees of each school district shall adopt and strictly enforce a
19 policy limiting interruptions of classes during the school day for
20 nonacademic activities such as announcements and sales promotions.
21 At a minimum, the policy must limit announcements other than
22 emergency announcements to once during the school day.

23 (b) The board of trustees of each school district shall
24 adopt and strictly enforce a policy limiting the removal of
25 students from class for remedial tutoring or test preparation. A
26 district may not remove a student from a regularly scheduled class
27 for remedial tutoring or test preparation if, as a result of the

1 removal, the student would miss more than 10 percent of the school
2 days on which the class is offered, unless the student's parent or
3 another person standing in parental relation to the student
4 provides to the district written consent for removal from class for
5 such purpose.

6 (b) This section applies beginning with the 2013-2014
7 school year.

8 SECTION 6. (a) The heading to Section 25.092, Education
9 Code, is amended to read as follows:

10 Sec. 25.092. MINIMUM ATTENDANCE FOR CLASS CREDIT OR FINAL
11 GRADE.

12 (b) This section applies beginning with the 2013-2014
13 school year.

14 SECTION 7. (a) Sections 25.092(a), (a-1), (b), and (d),
15 Education Code, are amended to read as follows:

16 (a) Except as provided by this section, a student in any
17 grade level from kindergarten through grade 12 may not be given
18 credit or a final grade for a class unless the student is in
19 attendance for at least 90 percent of the days the class is offered.

20 (a-1) A student who is in attendance for at least 75 percent
21 but less than 90 percent of the days a class is offered may be given
22 credit or a final grade for the class if the student completes a
23 plan approved by the school's principal that provides for the
24 student to meet the instructional requirements of the class. A
25 student under the jurisdiction of a court in a criminal or juvenile
26 justice proceeding may not receive credit or a final grade under
27 this subsection without the consent of the judge presiding over the

1 student's case.

2 (b) The board of trustees of each school district shall
3 appoint one or more attendance committees to hear petitions for
4 class credit or a final grade by students who are in attendance
5 fewer than the number of days required under Subsection (a) and have
6 not earned class credit or a final grade under Subsection (a-1).
7 Classroom teachers shall comprise a majority of the membership of
8 the committee. A committee may give class credit or a final grade
9 to a student because of extenuating circumstances. Each board of
10 trustees shall establish guidelines to determine what constitutes
11 extenuating circumstances and shall adopt policies establishing
12 alternative ways for students to make up work or regain credit or a
13 final grade lost because of absences. The alternative ways must
14 include at least one option that does not require a student to pay a
15 fee authorized under Section 11.158(a)(15). A certified public
16 school employee may not be assigned additional instructional duties
17 as a result of this section outside of the regular workday unless
18 the employee is compensated for the duties at a reasonable rate of
19 pay.

20 (d) If a student is denied credit or a final grade for a
21 class by an attendance committee, the student may appeal the
22 decision to the board of trustees. The decision of the board may be
23 appealed by trial de novo to the district court of the county in
24 which the school district's central administrative office is
25 located.

26 (b) This section applies beginning with the 2013-2014
27 school year.

SECTION 8. (a) Section 28.002, Education Code, is amended by amending Subsection (c) and adding Subsections (g-1), (g-2), (o), and (t) to read as follows:

(c) The State Board of Education, with the direct participation of educators, parents, business and industry representatives, and employers shall by rule identify the essential knowledge and skills of each subject of the required curriculum that all students should be able to demonstrate and that will be used in evaluating instructional materials under Chapter 31 and addressed on the assessment instruments required under Subchapter B, Chapter 39. As a condition of accreditation, the board shall require each district to provide instruction in the essential knowledge and skills at appropriate grade levels and to make available to each high school student in the district an Algebra II course.

(g-1) A district may also offer a course or other activity, including an apprenticeship or training hours needed to obtain an industry-recognized credential or certificate, that is approved by the board of trustees for credit without obtaining State Board of Education approval if:

(1) the district develops a program under which the district partners with a public or private institution of higher education and local business, labor, and community leaders to develop and provide the courses; and

(2) the course or other activity allows students to enter:

(A) a career or technology training program in

1 the district's region of the state;

2 (B) an institution of higher education without
3 remediation;

4 (C) an apprenticeship training program; or

5 (D) an internship required as part of
6 accreditation toward an industry-recognized credential or
7 certificate for course credit.

8 (g-2) Each school district shall annually report to the
9 agency the names of the courses, programs, institutions of higher
10 education, and internships in which the district's students have
11 enrolled under Subsection (g-1). The agency shall make available
12 information provided under this subsection to other districts.

13 (o) In approving career and technology courses, the State
14 Board of Education must determine that at least 50 percent of the
15 approved courses are cost-effective for a school district to
16 implement.

17 (t) The State Board of Education by rule shall require a
18 course of instruction in career explorations for each student
19 during seventh or eighth grade. The course must include detailed
20 explanations and discussions of:

21 (1) the foundation high school program and
22 endorsements under Section 28.025; and

23 (2) courses necessary or useful in pursuing higher
24 education or a career.

25 (b) This section applies beginning with the 2014-2015
26 school year.

27 SECTION 9. Subchapter A, Chapter 28, Education Code, is

amended by adding Section 28.00222 to read as follows:

Sec. 28.00222. INCREASE IN ADVANCED TECHNOLOGY AND CAREER-RELATED COURSES. (a) Not later than September 1, 2014, the State Board of Education shall ensure that at least six advanced career and technology education or technology applications courses, including courses in personal financial literacy consistent with Section 28.0021 and in statistics, are approved to satisfy a fourth credit in mathematics.

(b) Not later than January 1, 2015, the commissioner shall review and report to the governor, the lieutenant governor, the speaker of the house of representatives, and the presiding officer of each standing committee of the legislature with primary responsibility over public primary and secondary education regarding the progress of increasing the number of courses approved for the career and technology education or technology applications curriculum. The commissioner shall include in the report a detailed description of any new courses, including instructional materials and required equipment, if any.

(c) This section expires September 1, 2015.

SECTION 10. (a) Section 28.014, Education Code, is amended to read as follows:

Sec. 28.014. COLLEGE PREPARATORY COURSES. (a) Each school district shall partner with at least one institution of higher education to develop and provide ~~[The commissioner of education and the commissioner of higher education shall develop and recommend to the State Board of Education for adoption under Section 28.002 the essential knowledge and skills of]~~ courses in college preparatory

1 mathematics[, ~~science, social studies,~~] and English language
2 arts. The courses must be designed:

3 (1) for students at the 12th grade level whose
4 performance on:

5 (A) [~~who do not meet college readiness standards~~
6 on] an end-of-course assessment instrument required under Section
7 39.023(c) does not meet college readiness standards; or

8 (B) coursework, a college entrance examination,
9 or an assessment instrument designated under Section 51.3062(c)
10 indicates that the student is not ready to perform entry-level
11 college coursework; and

12 (2) to prepare students for success in entry-level
13 college courses.

14 (b) A course developed under this section must be provided:

15 (1) on the campus of the high school offering the
16 course; or

17 (2) through distance learning or as an online course
18 provided through an institution of higher education with which the
19 school district partners as provided by Subsection (a).

20 (c) Appropriate faculty of each high school offering
21 courses under this section and appropriate faculty of each
22 institution of higher education with which the school district
23 partners shall meet regularly as necessary to ensure that each
24 course is aligned with college readiness expectations. The
25 commissioner of education, in coordination with the commissioner of
26 higher education, may adopt rules to administer this subsection.

27 (d) Each school district shall provide a notice to each

district student to whom Subsection (a) applies and the student's
parent or guardian regarding the benefits of enrolling in a course
under this section.

(e) A student who successfully completes an English
language arts [a] course developed under this section may use the
credit earned in the course toward satisfying the advanced English
language arts [applicable mathematics or science] curriculum
requirement for the foundation [recommended or advanced] high
school program under Section 28.025(b-1)(1) [28.025]. A student
who successfully completes a mathematics course developed under
this section may use the credit earned in the course toward
satisfying an advanced mathematics curriculum requirement under
Section 28.025 after completion of the mathematics curriculum
requirements for the foundation high school program under Section
28.025(b-1)(2).

(f) A course provided under this section may be offered for
dual credit at the discretion of the institution of higher
education with which a school district partners under this section.

(g) Each school district, in consultation with each
institution of higher education with which the district partners,
shall develop or purchase [(c) The agency, in consultation with
the Texas Higher Education Coordinating Board, shall adopt an
end-of-course assessment instrument for each course developed
under this section to ensure the rigor of the course. A school
district shall, in accordance with State Board of Education rules,
administer the end-of-course assessment instrument to a student
enrolled in a course developed under this section. Each school

~~district shall adopt a policy that requires a student's performance on the end-of-course assessment instrument to account for 15 percent of the student's final grade for the course. A student's performance on an end-of-course assessment instrument administered under this subsection may be used, on a scale of 0-40, in calculating whether the student satisfies the graduation requirements established under Section 39.025.~~

~~[(d) The agency, in coordination with the Texas Higher Education Coordinating Board, shall adopt a series of questions to be included in an end-of-course assessment instrument administered under Subsection (c) to be used for purposes of Section 51.3062. The questions must be developed in a manner consistent with any college readiness standards adopted under Sections 39.233 and 51.3062.~~

~~[(e) The State Board of Education shall adopt]~~
instructional materials for a course developed under this section consistent ~~[in accordance]~~ with Chapter 31. The instructional materials must include technology resources that enhance the effectiveness of the course and draw on established best practices.

(h) ~~[(f)]~~ To the extent applicable, a district ~~[the commissioner]~~ shall draw from curricula and instructional materials developed under Section ~~[Sections]~~ 28.008 ~~[and 61.0763]~~ in developing a course and related instructional materials under this section. A ~~[Not later than September 1, 2010, the State Board of Education shall adopt essential knowledge and skills for each course developed under this section. The State Board of Education shall make each]~~ course developed under this section and the

1 related instructional materials shall be made available to students
2 ~~[school districts]~~ not later than the 2014-2015 school year. ~~[As~~
3 ~~required by Subsection (c), a school district shall adopt a policy~~
4 ~~requiring a student's performance on an end-of-course assessment~~
5 ~~instrument administered under that subsection to account for 15~~
6 ~~percent of the student's grade for a course developed under this~~
7 ~~section not later than the 2014-2015 school year.]~~ This subsection
8 expires September 1, 2015.

9 (b) This section applies beginning with the 2013-2014
10 school year.

11 SECTION 11. Section 28.0211, Education Code, is amended by
12 amending Subsection (m) and adding Subsection (m-1) to read as
13 follows:

14 (m) The commissioner shall certify, not later than July 1 of
15 each school year or as soon as practicable thereafter, whether
16 sufficient funds have been appropriated statewide for the purposes
17 of this section and Section 28.0217. A determination by the
18 commissioner is final and may not be appealed. For purposes of
19 certification, the commissioner shall consider:

20 (1) the average cost per student per assessment
21 instrument administration;

22 (2) the number of students that require accelerated
23 instruction because the student failed to perform satisfactorily on
24 an assessment instrument;

25 (3) whether sufficient funds have been appropriated to
26 provide support to students in grades three through 12 identified
27 as being at risk of dropping out of school, as defined in Section

1 29.081(d); and

2 (4) whether sufficient funds have been appropriated to
3 provide instructional materials that are aligned with the
4 assessment instruments under Sections 39.023(a) and (c).

5 (m-1) For purposes of certification under Subsection (m),
6 the commissioner may not consider Foundation School Program
7 except for compensatory education funds under Section 42.152;
8 funds. This section may be implemented only if the commissioner
9 certifies that sufficient funds have been appropriated during a
10 school year for administering the accelerated instruction programs
11 specified under this section and Section 28.0217, including teacher
12 training for that purpose.

13 SECTION 12. (a) The heading to Section 28.0212, Education
14 Code, is amended to read as follows:

15 Sec. 28.0212. JUNIOR HIGH OR MIDDLE SCHOOL PERSONAL
16 GRADUATION PLAN.

17 (b) This section applies beginning with the 2014-2015
18 school year.

19 SECTION 13. (a) Sections 28.0212(a) and (b), Education
20 Code, are amended to read as follows:

21 (a) A principal of a junior high or middle school shall
22 designate a school [guidance] counselor, teacher, or other
23 appropriate individual to develop and administer a personal
24 graduation plan for each student enrolled in the [a] junior high
25 or [7] middle [7 or high] school who:

26 (1) does not perform satisfactorily on an assessment
27 instrument administered under Subchapter B, Chapter 39; or

(2) is not likely to receive a high school diploma

1 before the fifth school year following the student's enrollment in
2 grade level nine, as determined by the district.

3 (b) A personal graduation plan under this section must:

4 (1) identify educational goals for the student;

5 (2) include diagnostic information, appropriate
6 monitoring and intervention, and other evaluation strategies;

7 (3) include an intensive instruction program
8 described by Section 28.0213;

9 (4) address participation of the student's parent or
10 guardian, including consideration of the parent's or guardian's
11 educational expectations for the student; and

12 (5) provide innovative methods to promote the
13 student's advancement, including flexible scheduling, alternative
14 learning environments, on-line instruction, and other
15 interventions that are proven to accelerate the learning process
16 and have been scientifically validated to improve learning and
17 cognitive ability.

18 (b) This section applies beginning with the 2014-2015
19 school year.

20 SECTION 14. (a) Subchapter B, Chapter 28, Education Code,
21 is amended by adding Section 28.02121 to read as follows:

22 Sec. 28.02121. HIGH SCHOOL PERSONAL GRADUATION PLAN. (a)
23 The agency, in consultation with the Texas Workforce Commission and
24 the Texas Higher Education Coordinating Board, shall prepare and
25 make available to each school district in English and Spanish
26 information that explains the advantages of the distinguished level
27 of achievement described by Section 28.025(b-15) and each

1 endorsement described by Section 28.025(c-1). The information must
2 contain an explanation:

3 (1) concerning the benefits of choosing a high school
4 personal graduation plan that includes the distinguished level of
5 achievement under the foundation high school program and includes
6 one or more endorsements to enable the student to achieve a class
7 rank in the top 10 percent for students at the campus; and

8 (2) that encourages parents, to the greatest extent
9 practicable, to have the student choose a high school personal
10 graduation plan described by Subdivision (1).

11 (b) A school district shall publish the information
12 provided to the district under Subsection (a) on the Internet
13 website of the district and ensure that the information is
14 available to students in grades nine and above and the parents or
15 legal guardians of those students in the language in which the
16 parents or legal guardians are most proficient. A district is
17 required to provide information under this subsection in the
18 language in which the parents or legal guardians are most
19 proficient only if at least 20 students in a grade level primarily
20 speak that language.

21 (c) A principal of a high school shall designate a school
22 counselor or school administrator to review personal graduation
23 plan options with each student entering grade nine together with
24 that student's parent or guardian. The personal graduation plan
25 options reviewed must include the distinguished level of
26 achievement described by Section 28.025(b-15) and the endorsements
27 described by Section 28.025(c-1). Before the conclusion of the

1 school year, the student and the student's parent or guardian must
2 confirm and sign a personal graduation plan for the student.

3 (d) A personal graduation plan under Subsection (c) must
4 identify a course of study that:

5 (1) promotes:

6 (A) college and workforce readiness; and

7 (B) career placement and advancement; and

8 (2) facilitates the student's transition from
9 secondary to postsecondary education.

10 (e) A school district may not prevent a student and the
11 student's parent or guardian from confirming a personal graduation
12 plan that includes pursuit of a distinguished level of achievement
13 or an endorsement.

14 (f) A student may amend the student's personal graduation
15 plan after the initial confirmation of the plan under this section.
16 If a student amends the student's personal graduation plan, the
17 school shall send written notice to the student's parents regarding
18 the change.

19 (b) This section applies beginning with the 2014-2015
20 school year.

21 SECTION 15. Subchapter B, Chapter 28, Education Code, is
22 amended by adding Section 28.0217 to read as follows:

23 Sec. 28.0217. ACCELERATED INSTRUCTION FOR HIGH SCHOOL
24 STUDENTS. Each time a student fails to perform satisfactorily on an
25 assessment instrument administered under Section 39.023(c), the
26 school district in which the student attends school shall provide
27 to the student accelerated instruction in the applicable subject

1 area, using funds appropriated for accelerated instruction under
 2 Section 28.0211. Accelerated instruction may require
 3 participation of the student before or after normal school hours
 4 and may include participation at times of the year outside normal
 5 school operations.

6 SECTION 16. (a) Section 28.025, Education Code, is amended
 7 by amending Subsections (a), (b), (b-1), (b-2), (b-3), (b-4),
 8 (b-5), (b-7), (b-9), (b-10), (b-11), and (e) and adding Subsections
 9 (b-12), (b-13), (b-14), (b-15), (b-16), (b-17), (b-18), (b-19),
 10 (c-1), (c-2), (c-3), (c-4), (c-5), (e-1), (e-2), (e-3), (h), (h-1),
 11 and (h-2) to read as follows:

12 (a) The State Board of Education by rule shall determine
 13 curriculum requirements for the foundation ~~[minimum, recommended,~~
 14 ~~and advanced]~~ high school program ~~[programs]~~ that are consistent
 15 with the required curriculum under Section 28.002. The ~~[Subject to~~
 16 ~~Subsection (b-1), the]~~ State Board of Education shall designate the
 17 specific courses in the foundation curriculum under Section
 18 28.002(a)(1) required under ~~[for a student participating in]~~ the
 19 foundation ~~[minimum, recommended, or advanced]~~ high school
 20 program. Except as provided by this section ~~[Subsection (b-1)]~~,
 21 the State Board of Education may not designate a specific course or
 22 a specific number of credits in the enrichment curriculum as
 23 requirements for the ~~[recommended]~~ program.

24 (b) A school district shall ensure that each student, on
 25 entering ninth grade, indicates in writing an endorsement under
 26 Subsection (c-1) that the student intends to earn. A district ^{shall} ~~may~~
 27 permit a student to choose, at any time, to earn an endorsement

1 other than the endorsement the student previously indicated. A
2 student may graduate under the foundation high school program
3 without earning an endorsement if, after the student's sophomore
4 year:

5 (1) the student and the student's parent or person
6 standing in parental relation to the student are advised by a school
7 counselor of the specific benefits of graduating from high school
8 with one or more endorsements; and

9 (2) the student's parent or person standing in
10 parental relation to the student files with a school counselor
11 written permission, on a form adopted by the agency, allowing the
12 student to graduate under the foundation high school program
13 without earning an endorsement ~~[enrolls in the courses necessary to~~
14 ~~complete the curriculum requirements identified by the State Board~~
15 ~~of Education under Subsection (a) for the recommended or advanced~~
16 ~~high school program unless the student, the student's parent or~~
17 ~~other person standing in parental relation to the student, and a~~
18 ~~school counselor or school administrator agree in writing signed by~~
19 ~~each party that the student should be permitted to take courses~~
20 ~~under the minimum high school program and the student:~~

21 ~~[(1) is at least 16 years of age,~~

22 ~~[(2) has completed two credits required for graduation~~
23 ~~in each subject of the foundation curriculum under Section~~
24 ~~28.002(a)(1), or~~

25 ~~[(3) has failed to be promoted to the tenth grade one~~
26 ~~or more times as determined by the school district].~~

27 (b-1) The State Board of Education by rule shall require

that[+]

~~[(1) except as provided by Subsection (b-2)],~~ the curriculum requirements for the foundation ~~[recommended and advanced]~~ high school program ~~[programs]~~ under Subsection (a) include a requirement that students successfully complete:

(1) ~~[(A)]~~ four credits in English language arts ~~[each subject of the foundation curriculum]~~ under Section 28.002(a)(1)(A), including one credit in English I, one credit in English II, one credit in English III, and one credit in an advanced English course authorized under Subsection (b-2);

(2) three credits in mathematics under Section 28.002(a)(1)(B), including one credit in Algebra I, one credit in geometry, and one credit in any advanced mathematics course authorized under Subsection (b-2);

(3) three credits in science under Section 28.002(a)(1)(C), including one credit in biology, one credit in any advanced science course authorized under Subsection (b-2), and one credit in integrated physics and chemistry or in an additional advanced science course authorized under Subsection (b-2);

(4) three credits in social studies under Section 28.002(a)(1)(D) ~~[28.002(a)(1)]~~, including one credit in United States history, at least one-half credit in government and at least one-half credit in economics, and one credit in world geography or world history ~~[to meet the social studies requirement];~~

(5) except as provided under Subsections (b-12), (b-13), and (b-14) ~~[(B) for the recommended high school program]~~, two credits in the same language in a language other than English

1 under Section 28.002(a)(2)(A) [~~and, for the advanced high school~~
2 ~~program, three credits in the same language in a language other than~~
3 ~~English under Section 28.002(a)(2)(A)]~~; [and]

4 (6) five [~~(C) for the recommended high school~~
5 ~~program, six]~~ elective credits [~~and, for the advanced high school~~
6 ~~program, five elective credits]~~;

7 (7) [~~(2) one or more credits offered in the required~~
8 ~~curriculum for the recommended and advanced high school programs~~
9 ~~include a research writing component, and~~

10 [~~(3) the curriculum requirements for the minimum,~~
11 ~~recommended, and advanced high school programs under Subsection (a)~~
12 ~~include a requirement that students successfully complete:~~

13 [~~(A)]~~ one credit in fine arts under Section
14 28.002(a)(2)(D); and

15 (8) [~~(B)]~~ except as provided by Subsection (b-11), one
16 credit in physical education under Section 28.002(a)(2)(C).

17 (b-2) In adopting rules under Subsection (b-1), the State
18 Board of Education shall provide for [~~allow~~] a student to comply
19 with the curriculum requirements for an advanced English course
20 under Subsection (b-1)(1) taken after successful completion of
21 English I, English II, and English III, for an advanced [~~a~~]
22 mathematics course under Subsection (b-1)(2) [~~(b-1)(1)]~~ taken
23 after the successful completion of Algebra I and geometry, and for
24 any advanced [~~either after the successful completion of or~~
25 ~~concurrently with Algebra II or a~~] science course under Subsection
26 (b-1)(3) [~~(b-1)(1) taken after the successful completion of biology~~
27 ~~and chemistry and either after the successful completion of or~~

1 ~~concurrently with physics]~~ by successfully completing a course in
2 the appropriate content area that has been approved as an advanced
3 course by board rule or that is offered as an advanced course for
4 credit without board approval as provided by Section 28.002(g-1)
5 ~~[career and technical course designated by the State Board of~~
6 ~~Education as containing substantively similar and rigorous~~
7 ~~academic content. A student may use the option provided by this~~
8 ~~subsection for not more than two courses].~~

9 (b-3) In adopting rules for purposes of Subsection (b-2) ~~[to~~
10 ~~provide students with the option described by Subsection~~
11 ~~(b-1)(1)(A)]~~, the State Board of Education must approve a variety
12 of advanced English, mathematics, and science courses that may be
13 taken ~~[after the completion of Algebra II and physics]~~ to comply
14 with the foundation high school ~~[recommended]~~ program
15 requirements, provided that each approved course prepares students
16 to enter the workforce successfully or postsecondary education
17 without remediation.

18 (b-4) A school district may offer the curriculum described
19 in Subsections (b-1)(1) through (4) ~~[Subsection (b-1)(1)(A)]~~ in an
20 applied manner. Courses delivered in an applied manner must cover
21 the essential knowledge and skills, and the student shall be
22 administered the applicable end-of-course assessment instrument as
23 provided by Sections 39.023(c) and 39.025.

24 (b-5) A school district may offer a mathematics or science
25 course to be taken by a student after completion of Algebra II and
26 physics ~~[to comply with the recommended program requirements in~~
27 ~~Subsection (b-1)(1)(A)]~~. A course approved under this subsection

1 must be endorsed by an institution of higher education as a course
2 for which the institution would award course credit or as a
3 prerequisite for a course for which the institution would award
4 course credit.

5 (b-7) The State Board of Education, in coordination with the
6 Texas Higher Education Coordinating Board, shall adopt rules to
7 ensure that a student may comply with the curriculum requirements
8 under the foundation ~~[minimum, recommended, or advanced]~~ high
9 school program or for an endorsement under Subsection (c-1) ~~[for~~
10 ~~each subject of the foundation curriculum under Section~~
11 ~~28.002(a)(1) and for languages other than English under Section~~
12 ~~28.002(a)(2)(A)]~~ by successfully completing appropriate courses in
13 the core curriculum of an institution of higher education under
14 Section 61.822. Notwithstanding Subsection (b-15) or (c) of this
15 section, Section 39.025, or any other provision of this code and
16 notwithstanding any school district policy, a student who has
17 completed the core curriculum of an institution of higher education
18 under Section 61.822, as certified by the institution in accordance
19 with commissioner rule, is considered to have earned a
20 distinguished level of achievement under the foundation high school
21 program and is entitled to receive a high school diploma from the
22 appropriate high school as that high school is determined in
23 accordance with commissioner rule. A student who is considered to
24 have earned a distinguished level of achievement under the
25 foundation high school program under this subsection may apply for
26 admission to an institution of higher education for the first
27 semester or other academic term after the semester or other

academic term in which the student completes the core curriculum.

(b-9) A school district, with the approval of the commissioner, may allow ~~[The agency shall establish a pilot program allowing]~~ a student ~~[attending school in a county with a population of more than one million and in which more than 75 percent of the population resides in a single municipality]~~ to satisfy the fine arts credit required under Subsection (b-1)(7) ~~[(b-1)(3)(A)]~~ by participating in a community-based fine arts program not provided by the school district in which the student is enrolled. The fine arts program must provide instruction in the essential knowledge and skills identified for fine arts by the State Board of Education under Section 28.002(c). The fine arts program may be provided on or off a school campus and outside the regular school day. ~~[Not later than December 1, 2010, the agency shall provide to the legislature a report regarding the pilot program, including the feasibility of expanding the pilot program statewide.]~~

(b-10) A school district, with the approval of the commissioner, may allow a student to comply with the curriculum requirements for the physical education credit required under Subsection (b-1)(8) ~~[(b-1)(3)(B)]~~ by participating in a private or commercially sponsored physical activity program provided on or off a school campus and outside the regular school day.

(b-11) In adopting rules under Subsection (b-1), the State Board of Education shall allow a student who is unable to participate in physical activity due to disability or illness to substitute one credit in English language arts, mathematics, science, or social studies, one credit in a course that is offered

1 for credit as provided by Section 28.002(g-1), or one academic
2 elective credit for the physical education credit required under
3 Subsection (b-1)(8) [~~(b-1)(3)(B)~~]. A credit allowed to be
4 substituted under this subsection may not also be used by the
5 student to satisfy a graduation requirement other than completion
6 of the physical education credit. The rules must provide that the
7 determination regarding a student's ability to participate in
8 physical activity will be made by:

9 (1) if the student receives special education services
10 under Subchapter A, Chapter 29, the student's admission, review,
11 and dismissal committee;

12 (2) if the student does not receive special education
13 services under Subchapter A, Chapter 29, but is covered by Section
14 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), the
15 committee established for the student under that Act; or

16 (3) if each of the committees described by
17 Subdivisions (1) and (2) is inapplicable, a committee established
18 by the school district of persons with appropriate knowledge
19 regarding the student.

20 (b-12) In adopting rules under Subsection (b-1), the State
21 Board of Education shall adopt criteria to allow a student to comply
22 with the curriculum requirements for the two credits in a language
23 other than English required under Subsection (b-1)(5) by
24 substituting two credits in computer programming languages.

25 (b-13) In adopting rules under Subsection (b-1), the State
26 Board of Education shall allow a student to substitute credit in
27 another appropriate course for the second credit in the same

language in a language other than English otherwise required by Subsection (b-1)(5) if the student, in completing the first credit required under Subsection (b-1)(5), demonstrates that the student is unlikely to be able to complete the second credit. The board rules must establish:

(1) the standards and, as applicable, the appropriate school personnel for making a determination under this subsection; and

(2) appropriate substitute courses for purposes of this subsection.

(b-14) In adopting rules under Subsection (b-1), the State Board of Education shall allow a student who, due to disability, is unable to complete two courses in the same language in a language other than English, as provided under Subsection (b-1)(5), to substitute for those credits two credits in English language arts, mathematics, science, or social studies or two credits in career and technology education, technology applications, or other academic electives. A credit allowed to be substituted under this subsection may not also be used by the student to satisfy a graduation credit requirement other than credit for completion of a language other than English. The rules must provide that the determination regarding a student's ability to participate in language-other-than-English courses will be made by:

(1) if the student receives special education services under Subchapter A, Chapter 29, the student's admission, review, and dismissal committee; or

(2) if the student does not receive special education

services under Subchapter A, Chapter 29, but is covered by Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), the committee established for the student under that Act.

(b-15) A student may earn a distinguished level of achievement under the foundation high school program by successfully completing:

(1) four credits in mathematics, which must include Algebra II and the courses described by Subsection (b-1)(2);

(2) four credits in science, which must include the courses described by Subsection (b-1)(3);

(3) the remaining curriculum requirements under Subsection (b-1); and

(4) the curriculum requirements for at least one endorsement under Subsection (c-1).

(b-16) A student may satisfy an elective credit required under Subsection (b-1)(6) with a credit earned to satisfy the additional curriculum requirements for the distinguished level of achievement under the foundation high school program or an endorsement under Subsection (c-1). This subsection may apply to more than one elective credit.

(b-17) The State Board of Education shall adopt rules to ensure that a student may comply with the curriculum requirements under Subsection (b-1)(6) by successfully completing an advanced career and technical course, including a course that may lead to an industry-recognized credential or certificate or an associate degree.

(b-18) In adopting rules under Subsection (b-1), the State

1 Board of Education shall allow a student to comply with the
2 curriculum requirements under Subsection (b-1) by successfully
3 completing a dual credit course.

4 (b-19) In adopting rules under Subsection (b-1), the State
5 Board of Education shall adopt criteria to allow a student to comply
6 with curriculum requirements for the world geography or world
7 history credit under Subsection (b-1)(4) by successfully
8 completing a combined world history and world geography course
9 developed by the State Board of Education.

10 (c-1) A student may earn an endorsement on the student's
11 diploma and transcript by successfully completing curriculum
12 requirements for that endorsement adopted by the State Board of
13 Education by rule. The State Board of Education by rule shall
14 provide students with multiple options for earning each
15 endorsement, including, to the greatest extent possible, coherent
16 sequences of courses. The State Board of Education by rule must
17 permit a student to enroll in courses under more than one
18 endorsement curriculum before the student's junior year. An
19 endorsement under this subsection may be earned in any of the
20 following categories:

21 (1) science, technology, engineering, and mathematics
22 (STEM), which includes courses directly related to science,
23 including environmental science, technology, including computer
24 science, engineering, and advanced mathematics;

25 (2) business and industry, which includes courses
26 directly related to database management, information technology,
27 communications, accounting, finance, marketing, graphic design,

architecture, construction, welding, logistics, automotive technology, agricultural science, and heating, ventilation, and air conditioning;

(3) public services, which includes courses directly related to health sciences and occupations, education and training, law enforcement, and culinary arts and hospitality;

(4) arts and humanities, which includes courses directly related to political science, world languages, cultural studies, English literature, history, and fine arts; and

(5) multidisciplinary studies, which allows a student to:

(A) select courses from the curriculum of each endorsement area described by Subdivisions (1) through (4); and

(B) earn credits in a variety of advanced courses from multiple content areas sufficient to complete the distinguished level of achievement under the foundation high school program.

(c-2) In adopting rules under Subsection (c-1), the State Board of Education shall:

(1) require a student in order to earn any endorsement to successfully complete:

(A) four credits in mathematics, which must include:

(i) the courses described by Subsection (b-1)(2); and

(ii) an additional advanced mathematics course authorized under Subsection (b-2) or an advanced career and

1 technology course designated by the State Board of Education;

2 (B) four credits in science, which must include:

3 (i) the courses described by Subsection
4 (b-1)(3); and

5 (ii) an additional advanced science course
6 authorized under Subsection (b-2) or an advanced career and
7 technology course designated by the State Board of Education; and

8 (C) two elective credits in addition to the
9 elective credits required under Subsection (b-1)(6); and

10 (2) develop additional curriculum requirements for
11 each endorsement with the direct participation of educators and
12 business, labor, and industry representatives, and shall require
13 each school district to report to the agency the categories of
14 endorsements under Subsection (c-1) for which the district offers
15 all courses for curriculum requirements, as determined by board
16 rule.

17 (c-3) In adopting rules under Subsection (c-1), the State
18 Board of Education shall adopt criteria to allow a student
19 participating in the arts and humanities endorsement under
20 Subsection (c-1)(4), with the written permission of the student's
21 parent or a person standing in parental relation to the student, to
22 comply with the curriculum requirements for science required under
23 Subsection (c-2)(1)(B) by substituting for an advanced course
24 requirement a course related to that endorsement.

25 (c-4) Each school district must make available to high
26 school students courses that allow a student to complete the
27 curriculum requirements for at least one endorsement under

1 Subsection (c-1). A school district that offers only one
2 endorsement curriculum must offer the multidisciplinary studies
3 endorsement curriculum.

4 (c-5) A student may earn a performance acknowledgment on the
5 student's diploma and transcript by satisfying the requirements for
6 that acknowledgment adopted by the State Board of Education by
7 rule. An acknowledgment under this subsection may be earned:

8 (1) for outstanding performance:

9 (A) in a dual credit course;

10 (B) in bilingualism and biliteracy;

11 (C) on a college advanced placement test or
12 international baccalaureate examination; or

13 (D) on the PSAT, the ACT-Plan, the SAT, or the
14 ACT; or

15 (2) for earning a nationally or internationally
16 recognized business or industry certification or license.

17 (e) Each school district shall report the academic
18 achievement record of students who have completed the foundation [~~a~~
19 ~~minimum, recommended, or advanced~~] high school program on
20 transcript forms adopted by the State Board of Education. The
21 transcript forms adopted by the board must be designed to clearly
22 [~~differentiate between each of the high school programs and~~]
23 identify whether a student received a diploma or a certificate of
24 coursework completion.

25 (e-1) A school district shall clearly indicate a
26 distinguished level of achievement under the foundation high school
27 program as described by Subsection (b-15), an endorsement described

1 by Subsection (c-1), and a performance acknowledgment described by
2 Subsection (c-5) on the diploma and transcript of a student who
3 satisfies the applicable requirements. The State Board of
4 Education shall adopt rules as necessary to administer this
5 subsection.

6 (e-2) At the end of each school year, each school district
7 shall report through the Public Education Information Management
8 System (PEIMS) the number of district students who, during that
9 school year, were:

10 (1) enrolled in the foundation high school program;
11 (2) pursuing the distinguished level of achievement
12 under the foundation high school program as provided by Subsection
13 (b-15); and

14 (3) enrolled in a program to earn an endorsement
15 described by Subsection (c-1).

16 (e-3) Information reported under Subsection (e-2) must be
17 disaggregated by all student groups served by the district,
18 including categories of race, ethnicity, socioeconomic status,
19 sex, and populations served by special programs, including students
20 in special education programs under Subchapter A, Chapter 29.

21 (h) The commissioner by rule shall adopt a transition plan
22 to implement and administer the amendments made by H.B. No. 5, 83rd
23 Legislature, Regular Session, 2013, replacing the minimum,
24 recommended, and advanced high school programs with the foundation
25 high school program beginning with the 2014-2015 school year.
26 Under the transition plan, a student who entered the ninth grade
27 before the 2014-2015 school year must be permitted to complete the

curriculum requirements required for high school graduation under:

(1) the foundation high school program, if the student chooses during the 2014-2015 school year to take courses under this program;

(2) the minimum high school program, as that program existed before the adoption of H.B. No. 5, 83rd Legislature, Regular Session, 2013, if the student was participating in that program before the 2014-2015 school year;

(3) the recommended high school program, as that program existed before the adoption of H.B. No. 5, 83rd Legislature, Regular Session, 2013, if the student was participating in that program before the 2014-2015 school year; or

(4) the advanced high school program, as that program existed before the adoption of H.B. No. 5, 83rd Legislature, Regular Session, 2013, if the student was participating in that program before the 2014-2015 school year.

(h-1) This subsection and Subsection (h) expire September 1, 2018.

(h-2) This subsection applies only to a student participating in the minimum, recommended, or advanced high school program who is completing the fourth year of high school during the 2013-2014 school year. The commissioner by rule shall permit a student who does not satisfy the curriculum requirements of the high school program in which the student is participating to graduate if the student satisfies the curriculum requirements established for the foundation high school program under this section as amended by H.B. No. 5, 83rd Legislature, Regular

1 Session, 2013, and any other requirement required for graduation.

2 This subsection expires September 1, 2015.

3 (b) Except as provided by Subsection (c) of this section,
4 this section applies beginning with the 2014-2015 school year.

5 (c) Section 28.025(h-2), Education Code, as added by this
6 section, applies during the 2013-2014 school year.

7 SECTION 17. (a) Section 28.0253(e), Education Code, is
8 amended to read as follows:

9 (e) A student who receives a high school diploma through the
10 pilot program is considered to have earned a distinguished level of
11 achievement under ~~[completed]~~ the foundation ~~[recommended]~~ high
12 school program adopted under Section 28.025 ~~[28.025(a)]~~. The
13 student is not guaranteed admission to any institution of higher
14 education or to any academic program at an institution of higher
15 education solely on the basis of having received the diploma
16 through the program. The student may apply for admission to an
17 institution of higher education for the first semester or other
18 academic term after the semester or other academic term in which the
19 student earns a diploma through the pilot program.

20 (b) This section applies beginning with the 2014-2015
21 school year.

22 SECTION 18. (a) Section 28.026, Education Code, is amended
23 to read as follows:

24 Sec. 28.026. NOTICE OF REQUIREMENTS FOR AUTOMATIC COLLEGE
25 ADMISSION AND FINANCIAL AID. (a) The board of trustees of a school
26 district and the governing body of each open-enrollment charter
27 school that provides a high school shall require each high school in

1 the district or provided by the charter school, as applicable, to
 2 post appropriate signs in each counselor's office, in each
 3 principal's office, and in each administrative building indicating
 4 the substance of Section 51.803 regarding automatic college
 5 admission and stating the curriculum requirements for financial aid
 6 authorized under Title 3. To assist in the dissemination of that
 7 ~~[this]~~ information, the ~~[school]~~ district or charter school shall:

8 (1) require that each high school counselor and class
 9 advisor be provided a detailed explanation of the substance of
 10 Section 51.803 and the curriculum requirements for financial aid
 11 authorized under Title 3;

12 (2) provide each district or school student, at the
 13 time the student first registers for one or more classes required
 14 for high school graduation, with a written notification, including
 15 a detailed explanation in plain language, of the substance of
 16 Section 51.803, the curriculum requirements for financial aid
 17 authorized under Title 3, and the benefits of completing the
 18 requirements for that automatic admission and financial aid;

19 (3) require that each high school counselor and senior
 20 class advisor explain to eligible students the substance of Section
 21 51.803; and

22 (4) not later than the 14th day after the last day of
 23 classes for the fall semester or an equivalent date in the case of a
 24 school operated on a year-round system under Section 25.084,
 25 provide each ~~[eligible]~~ senior student eligible under Section
 26 51.803 and each student enrolled in the junior year of high school
 27 who has a grade point average in the top 10 percent of the student's

1 high school class, and the student's parent or guardian, with a
2 written notification of the student's eligibility with a detailed
3 explanation in plain language of the substance of Section 51.803.

4 (b) The commissioner shall adopt forms, including specific
5 language, to use in providing notice under Subsections (a)(2) and
6 (4). In providing notice under Subsection (a)(2) or (4), a school
7 district or open-enrollment charter school shall use the
8 appropriate form adopted by the commissioner. The notice to a
9 student and the student's parent or guardian under Subsections
10 (a)(2) and (4) [~~Subsection (a)(4)~~] must be on a single form that
11 contains [~~may contain one or more~~] signature lines to indicate
12 receipt of notice by the student and [~~or~~] the student's parent or
13 guardian. The notice under Subsection (a)(2) must be signed by the
14 student's counselor in addition to being signed by the student and
15 the student's parent or guardian.

16 (b) This section applies beginning with the 2014-2015
17 school year.

18 SECTION 19. (a) Sections 28.027(a) and (b), Education
19 Code, are amended to read as follows:

20 (a) In this section, "applied STEM course" means an applied
21 science, technology, engineering, or mathematics course offered as
22 part of a school district's career and technology education or
23 technology applications curriculum.

24 (b) The State Board of Education shall establish a process
25 under which an applied STEM course may be reviewed and approved for
26 purposes of satisfying the mathematics and science curriculum
27 requirements for the foundation [~~recommended~~] high school program

1 ~~[imposed]~~ under Section 28.025 ~~[28.025(b-1)(1)(A)]~~ through
 2 substitution of the applied STEM course for a specific mathematics
 3 or science course otherwise required under the foundation
 4 ~~[recommended]~~ high school program ~~[and completed during the~~
 5 ~~student's fourth year of mathematics or science course work]~~. ~~[The~~
 6 ~~State Board of Education may only approve a course to substitute for~~
 7 ~~a mathematics course taken after successful completion of Algebra I~~
 8 ~~and geometry and after successful completion of or concurrently~~
 9 ~~with Algebra II.]~~ The State Board of Education may only approve a
 10 course to substitute for a science course taken after successful
 11 completion of biology ~~[and chemistry and after successful~~
 12 ~~completion of or concurrently with physics]~~.

13 (b) This section applies beginning with the 2014-2015
 14 school year.

15 SECTION 20. Section 29.081, Education Code, is amended by
 16 adding Subsections (b-1), (b-2), and (b-3) and amending Subsection
 17 (d) to read as follows:

18 (b-1) Each school district shall offer before the next
 19 scheduled administration of the assessment instrument, without
 20 cost to the student, additional accelerated instruction to each
 21 student in any subject in which the student failed to perform
 22 satisfactorily on an end-of-course assessment instrument required
 23 for graduation.

24 (b-2) A district that is required to provide accelerated
 25 instruction under Subsection (b-1) shall separately budget
 26 sufficient funds, including funds under Section 42.152, for that
 27 purpose. A district may not budget funds received under Section

1 42.152 for any other purpose until the district adopts a budget to
2 support additional accelerated instruction under Subsection (b-1).

3 (b-3) A district shall evaluate the effectiveness of
4 accelerated instruction programs under Subsection (b-1) and
5 annually hold a public hearing to consider the results.

6 (d) For purposes of this section, "student at risk of
7 dropping out of school" includes each student who is under 26 ~~[21]~~
8 years of age and who:

9 (1) was not advanced from one grade level to the next
10 for one or more school years;

11 (2) if the student is in grade 7, 8, 9, 10, 11, or 12,
12 did not maintain an average equivalent to 70 on a scale of 100 in two
13 or more subjects in the foundation curriculum during a semester in
14 the preceding or current school year or is not maintaining such an
15 average in two or more subjects in the foundation curriculum in the
16 current semester;

17 (3) did not perform satisfactorily on an assessment
18 instrument administered to the student under Subchapter B, Chapter
19 39, and who has not in the previous or current school year
20 subsequently performed on that instrument or another appropriate
21 instrument at a level equal to at least 110 percent of the level of
22 satisfactory performance on that instrument;

23 (4) if the student is in prekindergarten,
24 kindergarten, or grade 1, 2, or 3, did not perform satisfactorily on
25 a readiness test or assessment instrument administered during the
26 current school year;

27 (5) is pregnant or is a parent;

1 (6) has been placed in an alternative education
2 program in accordance with Section 37.006 during the preceding or
3 current school year;

4 (7) has been expelled in accordance with Section
5 37.007 during the preceding or current school year;

6 (8) is currently on parole, probation, deferred
7 prosecution, or other conditional release;

8 (9) was previously reported through the Public
9 Education Information Management System (PEIMS) to have dropped out
10 of school;

11 (10) is a student of limited English proficiency, as
12 defined by Section 29.052;

13 (11) is in the custody or care of the Department of
14 Protective and Regulatory Services or has, during the current
15 school year, been referred to the department by a school official,
16 officer of the juvenile court, or law enforcement official;

17 (12) is homeless, as defined by 42 U.S.C. Section
18 11302, and its subsequent amendments; or

19 (13) resided in the preceding school year or resides
20 in the current school year in a residential placement facility in
21 the district, including a detention facility, substance abuse
22 treatment facility, emergency shelter, psychiatric hospital,
23 halfway house, or foster group home.

24 SECTION 21. (a) Section 29.096(e), Education Code, is
25 amended to read as follows:

26 (e) The commissioner shall establish minimum standards for
27 a local collaborative agreement, including a requirement that the

1 agreement must be signed by an authorized school district or
2 open-enrollment charter school officer and an authorized
3 representative of each of the other participating entities that is
4 a partner in the collaboration. The program must:

5 (1) limit participation in the program to students
6 authorized to participate by a parent or other person standing in
7 parental relationship;

8 (2) have as a primary goal graduation from high school
9 ~~[under at least the recommended high school program];~~

10 (3) provide for local businesses or other employers to
11 offer paid employment or internship opportunities and advanced
12 career and vocational training;

13 (4) include an outreach component and a lead
14 educational staff member to identify and involve eligible students
15 and public and private entities in participating in the program;

16 (5) serve a population of students of which at least 50
17 percent are identified as students at risk of dropping out of
18 school, as described by Section 29.081(d);

19 (6) allocate not more than 15 percent of grant funds
20 and matching funds, as determined by the commissioner, to
21 administrative expenses;

22 (7) include matching funds from any of the
23 participating entities; and

24 (8) include any other requirements as determined by
25 the council.

26 (b) This section applies beginning with the 2014-2015
27 school year.

1 SECTION 22. Section 29.182(b), Education Code, is amended
2 to read as follows:

3 (b) The state plan must include procedures designed to
4 ensure that:

5 (1) all secondary and postsecondary students have the
6 opportunity to participate in career and technology education
7 programs;

8 (2) the state complies with requirements for
9 supplemental federal career and technology education funding;
10 ~~and~~

11 (3) career and technology education is established as
12 a part of the total education system of this state and constitutes
13 an option for student learning that provides a rigorous course of
14 study consistent with the required curriculum under Section 28.002
15 and under which a student may receive specific education in a career
16 and technology program that:

17 (A) incorporates competencies leading to
18 academic and technical skill attainment;

19 (B) leads to:

20 (i) an industry-recognized license,
21 credential, or certificate; or

22 (ii) at the postsecondary level, an
23 associate or baccalaureate degree;

24 (C) includes opportunities for students to earn
25 college credit for coursework; and

26 (D) includes, as an integral part of the program,
27 participation by students and teachers in activities of career and

1 technical student organizations supported by the agency and the
2 State Board of Education; and

3 (4) a school district provides, to the greatest extent
4 possible, to a student participating in a career and technology
5 education program opportunities to enroll in dual credit courses
6 designed to lead to a degree, license, or certification as part of
7 the program.

8 SECTION 23. (a) Sections 29.190(a) and (c), Education
9 Code, are amended to read as follows:

10 (a) A student is entitled to a subsidy under this section
11 if:

12 (1) the student:

13 (A) successfully completes the career and
14 technology program of a school district in which the student
15 receives training and instruction for employment [~~in a current or~~
16 ~~emerging high-demand, high-wage, high-skill occupation, as~~
17 ~~determined under Subsection (e)]~~; or

18 (B) is enrolled in a special education program
19 under Subchapter A; and

20 (2) the student passes a certification examination to
21 qualify for a license or certificate [~~for the occupation, and~~

22 [~~(3) the student submits to the district a written~~
23 ~~application in the form, time, and manner required by the district~~
24 ~~for the district to subsidize the cost of an examination described~~
25 ~~by Subdivision (2)]~~.

26 (c) On approval by the commissioner, the agency shall pay
27 each school district an amount equal to the cost paid by the

1 district [~~or student~~] for the certification examination. To obtain
2 reimbursement for a subsidy paid under this section, a district
3 must:

4 (1) pay the fee for the examination [~~or pay the student~~
5 ~~the amount of the fee paid by the student for the examination~~]; and

6 (2) submit to the commissioner a written application
7 on a form prescribed by the commissioner stating the amount of the
8 fee paid under Subdivision (1) for the certification examination.

9 (b) This section applies beginning with the 2013-2014
10 school year.

11 SECTION 24. (a) Section 29.402(b), Education Code, is
12 amended to read as follows:

13 (b) A person who is under 26 years of age is eligible to
14 enroll in a dropout recovery program under this subchapter if the
15 person:

16 (1) must complete not more than three course credits
17 to complete the curriculum requirements for the foundation
18 [~~minimum, recommended, or advanced~~] high school program[, ~~as~~
19 ~~appropriate,~~] for high school graduation; or

20 (2) has failed to perform satisfactorily on an
21 end-of-course assessment instrument administered under Section
22 39.023(c) or an assessment instrument administered under Section
23 39.023(c) as that section existed before amendment by Chapter 1312
24 (S.B. 1031), Acts of the 80th Legislature, Regular Session, 2007.

25 (b) This section applies beginning with the 2014-2015
26 school year.

27 SECTION 25. (a) Section 29.904(d), Education Code, is

1 amended to read as follows:

2 (d) A plan developed under this section:

3 (1) must establish clear, achievable goals for
4 increasing the percentage of the school district's graduating
5 seniors, particularly the graduating seniors attending a high
6 school described by Subsection (a), who enroll in an institution of
7 higher education for the academic year following graduation;

8 (2) must establish an accurate method of measuring
9 progress toward the goals established under Subdivision (1) that
10 may include the percentage of district high school students and the
11 percentage of students attending a district high school described
12 by Subsection (a) who:

13 (A) are enrolled in a course for which a student
14 may earn college credit, such as an advanced placement or
15 international baccalaureate course or a course offered through
16 concurrent enrollment in high school and at an institution of
17 higher education;

18 (B) are enrolled in courses that meet the
19 curriculum requirements for the distinguished level of achievement
20 under the foundation [~~recommended or advanced~~] high school program
21 as determined under Section 28.025;

22 (C) have submitted a free application for federal
23 student aid (FAFSA);

24 (D) are exempt under Section 51.3062(p) or (q)
25 from administration of an assessment instrument under Section
26 51.3062 or have performed successfully on an assessment instrument
27 under Section 51.3062;

- 1 (E) graduate from high school;
- 2 (F) graduate from an institution of higher
3 education; and
- 4 (G) have taken college entrance examinations and
5 the average score of those students on the examinations;
- 6 (3) must cover a period of at least five years; and
- 7 (4) may be directed at district students at any level
8 of primary or secondary education.

9 (b) This section applies beginning with the 2014-2015
10 school year.

11 SECTION 26. (a) Section 31.0211(c), Education Code, is
12 amended to read as follows:

13 (c) Subject to Subsection (d), funds allotted under this
14 section may be used to:

- 15 (1) purchase:
- 16 (A) materials on the list adopted by the
17 commissioner, as provided by Section 31.0231;
- 18 (B) instructional materials, regardless of
19 whether the instructional materials are on the list adopted under
20 Section 31.024;
- 21 (C) consumable instructional materials,
22 including workbooks;
- 23 (D) instructional materials for use in bilingual
24 education classes, as provided by Section 31.029;
- 25 (E) instructional materials for use in college
26 preparatory courses under Section 28.014, as provided by Section
27 31.031;

1 (F) supplemental instructional materials, as
2 provided by Section 31.035;

3 (G) [~~(F)~~] state-developed open-source
4 instructional materials, as provided by Subchapter B-1;

5 (H) [~~(G)~~] instructional materials and
6 technological equipment under any continuing contracts of the
7 district in effect on September 1, 2011; and

8 (I) [~~(H)~~] technological equipment necessary to
9 support the use of materials included on the list adopted by the
10 commissioner under Section 31.0231 or any instructional materials
11 purchased with an allotment under this section; and

12 (2) pay:

13 (A) for training educational personnel directly
14 involved in student learning in the appropriate use of
15 instructional materials and for providing for access to
16 technological equipment for instructional use; and

17 (B) the salary and other expenses of an employee
18 who provides technical support for the use of technological
19 equipment directly involved in student learning.

20 (b) This section applies beginning with the 2014-2015
21 school year.

22 SECTION 27. Subchapter B, Chapter 31, Education Code, is
23 amended by adding Section 31.0215 to read as follows:

24 Sec. 31.0215. INSTRUCTIONAL MATERIAL ALLOTMENT PURCHASES.

25 (a) The commissioner shall, as early as practicable during each
26 fiscal year, notify each school district and open-enrollment
27 charter school of the estimated amount to which the district or

1 charter school will be entitled under Section 31.0211 during the
2 next fiscal year.

3 (b) The commissioner may allow a school district or
4 open-enrollment charter school to place an order for instructional
5 materials before the beginning of a fiscal year and to receive
6 instructional materials before payment. The commissioner shall
7 limit the cost of an order placed under this section to 80 percent
8 of the estimated amount to which a school district or
9 open-enrollment charter school is estimated to be entitled as
10 provided by Subsection (a) and shall first credit any balance in a
11 district or charter school instructional materials account to pay
12 for an order placed under this section.

13 (c) The commissioner shall make payments for orders placed
14 under this section as funds become available to the instructional
15 materials fund and shall prioritize payment of orders placed under
16 this section over reimbursement of purchases made directly by a
17 school district or open-enrollment charter school.

18 (d) The commissioner shall ensure that publishers of
19 instructional materials are informed of any potential delay in
20 payment and that payment is subject to the availability of
21 appropriated funds. A publisher may decline to accept an order
22 placed under this section.

23 (e) Chapter 2251, Government Code, does not apply to
24 purchases of instructional materials under this section.

25 (f) The commissioner may adopt rules to implement this
26 section.

27 SECTION 28. (a) Subchapter B, Chapter 31, Education Code,

1 is amended by adding Section 31.031 to read as follows:

2 Sec. 31.031. COLLEGE PREPARATORY INSTRUCTIONAL MATERIALS.

3 (a) A school district may purchase with the district's
4 instructional materials allotment or otherwise acquire
5 instructional materials for use in college preparatory courses
6 under Section 28.014.

7 (b) The commissioner shall adopt rules regarding the
8 purchase of instructional materials under this section.

9 (b) This section applies beginning with the 2014-2015
10 school year.

11 SECTION 29. (a) The heading to Section 33.007, Education
12 Code, is amended to read as follows:

13 Sec. 33.007. COUNSELING REGARDING POSTSECONDARY [~~HIGHER~~]
14 EDUCATION.

15 (b) This section takes effect beginning with the 2014-2015
16 school year.

17 SECTION 30. (a) Sections 33.007(a) and (b), Education
18 Code, are amended to read as follows:

19 (a) Each school counselor at an elementary, middle, or
20 junior high school, including an open-enrollment charter school
21 offering those grades, shall advise students and their parents or
22 guardians regarding the importance of postsecondary [~~higher~~]
23 education, coursework designed to prepare students for
24 postsecondary [~~higher~~] education, and financial aid availability
25 and requirements.

26 (b) During the first school year a student is enrolled in a
27 high school or at the high school level in an open-enrollment

1 charter school, and again during each ~~[a student's senior]~~ year of a
2 student's enrollment in high school or at the high school level, a
3 school counselor shall provide information about postsecondary
4 ~~[higher]~~ education to the student and the student's parent or
5 guardian. The information must include information regarding:

6 (1) the importance of postsecondary ~~[higher]~~
7 education;

8 (2) the advantages of earning an endorsement and a
9 performance acknowledgment and completing the distinguished level
10 of achievement under the foundation ~~[recommended or advanced]~~ high
11 school program ~~[adopted]~~ under Section 28.025 ~~[28.025(a)]~~;

12 (3) the disadvantages of taking courses to prepare for
13 a high school equivalency examination relative to the benefits of
14 taking courses leading to a high school diploma;

15 (4) financial aid eligibility;

16 (5) instruction on how to apply for federal financial
17 aid;

18 (6) the center for financial aid information
19 established under Section 61.0776;

20 (7) the automatic admission of certain students to
21 general academic teaching institutions as provided by Section
22 51.803;

23 (8) the eligibility and academic performance
24 requirements for the TEXAS Grant as provided by Subchapter M,
25 Chapter 56; and

26 (9) the availability of programs in the district under
27 which a student may earn college credit, including advanced

1 placement programs, dual credit programs, joint high school and
2 college credit programs, and international baccalaureate programs.

3 (b) This section applies beginning with the 2014-2015
4 school year.

5 SECTION 31. (a) Section 39.023, Education Code, is amended
6 by amending Subsections (a-2), (b), (c), (c-3), (e), and (h) and
7 adding Subsections (b-1), (e-1), (e-2), and (e-3) to read as
8 follows:

9 (a-2) Except as required by federal law, a [A] student is
10 not required to be assessed in a subject otherwise assessed at the
11 student's grade level under Subsection (a) if the student:

12 (1) is enrolled in a course in the subject intended for
13 students above the student's grade level and will be administered
14 an assessment instrument adopted or developed under Subsection (a)
15 that aligns with the curriculum for the course in which the student
16 is enrolled; or

17 (2) is enrolled in a course in the subject for which
18 the student will receive high school academic credit and will be
19 administered an end-of-course assessment instrument adopted under
20 Subsection (c) for the course.

21 (b) The agency shall develop or adopt appropriate
22 criterion-referenced alternative assessment instruments to be
23 administered to each student in a special education program under
24 Subchapter A, Chapter 29, for whom an assessment instrument adopted
25 under Subsection (a), even with allowable accommodations, would not
26 provide an appropriate measure of student achievement, as
27 determined by the student's admission, review, and dismissal

1 committee, including assessment instruments approved by the
2 commissioner that measure growth. The assessment instruments
3 developed or adopted under this subsection, including the
4 assessment instruments approved by the commissioner, must, to the
5 extent allowed under federal law, provide a district with options
6 for the assessment of students under this subsection.

7 **(b-1)** The agency, in conjunction with appropriate
8 interested persons, shall redevelop assessment instruments adopted
9 or developed under Subsection (b) for administration to
10 significantly cognitively disabled students in a manner consistent
11 with federal law. An assessment instrument under this subsection
12 may not require a teacher to prepare tasks or materials for a
13 student who will be administered such an assessment instrument.
14 Assessment instruments adopted or developed under this subsection
15 shall be administered not later than the 2014-2015 school year.

16 **(c)** The agency shall also adopt end-of-course assessment
17 instruments for secondary-level courses in Algebra I, [~~Algebra II,~~
18 ~~geometry,~~] biology, [~~chemistry, physics,~~] English I, English II,
19 [~~English III, world geography, world history,~~] and United States
20 history. The Algebra I [~~, Algebra II, and geometry~~] end-of-course
21 assessment instrument [~~instruments~~] must be administered with the
22 aid of technology. The English I and English II end-of-course
23 assessment instruments must each assess essential knowledge and
24 skills in both reading and writing in the same assessment
25 instrument and must provide a single score. A school district shall
26 comply with State Board of Education rules regarding administration
27 of the assessment instruments listed in this subsection [~~and shall~~

1 ~~adopt a policy that requires a student's performance on an~~
2 ~~end-of-course assessment instrument for a course listed in this~~
3 ~~subsection in which the student is enrolled to account for 15~~
4 ~~percent of the student's final grade for the course. If a student~~
5 ~~retakes an end-of-course assessment instrument for a course listed~~
6 ~~in this subsection, as provided by Section 39.025, a school~~
7 ~~district is not required to use the student's performance on the~~
8 ~~subsequent administration or administrations of the assessment~~
9 ~~instrument to determine the student's final grade for the course].~~
10 If a student is in a special education program under Subchapter A,
11 Chapter 29, the student's admission, review, and dismissal
12 committee shall determine whether any allowable modification is
13 necessary in administering to the student an assessment instrument
14 required under this subsection. The State Board of Education shall
15 administer the assessment instruments. The State Board of
16 Education shall adopt a schedule for the administration of
17 end-of-course assessment instruments that complies with the
18 requirements of Subsection (c-3).

19 (c-3) In adopting a schedule for the administration of
20 assessment instruments under this section, the State Board of
21 Education shall require:

22 (1) assessment instruments administered under
23 Subsection (a) to be administered on a schedule so that the first
24 assessment instrument is administered at least two weeks later than
25 the date on which the first assessment instrument was administered
26 under Subsection (a) during the 2006-2007 school year; and

27 (2) the spring administration of end-of-course

1 assessment instruments under Subsection (c) to occur in each school
2 district not earlier than the first full week in May, except that
3 the spring administration of the end-of-course assessment
4 instruments in English I and~~[7]~~ English II~~[7 and English III]~~ must
5 be permitted to occur at an earlier date.

6 (e) Under rules adopted by the State Board of Education,
7 every third year, the agency shall release the questions and answer
8 keys to each assessment instrument administered under Subsection
9 (a), (b), (c), (d), or (l), excluding any assessment instrument
10 administered to a student for the purpose of retaking the
11 assessment instrument, after the last time the instrument is
12 administered for that school year. To ensure a valid bank of
13 questions for use each year, the agency is not required to release a
14 question that is being field-tested and was not used to compute the
15 student's score on the instrument. The agency shall also release,
16 under board rule, each question that is no longer being
17 field-tested and that was not used to compute a student's score.
18 During the 2014-2015 and 2015-2016 school years, the agency shall
19 release the questions and answer keys to assessment instruments as
20 described by this subsection each year.

21 (e-1) Under rules adopted by the commissioner, for the
22 2012-2013 school year, the agency each year shall release the
23 questions and answer keys to each assessment instrument
24 administered under Subsection (a), (c), (d), or (l), excluding any
25 assessment instrument administered to a student for the purpose of
26 retaking the assessment instrument, after the last time the
27 instrument is administered for that school year. This subsection

expires December 31, 2013.

(e-2) Under rules adopted by the commissioner, for the 2013-2014 school year, the agency each year shall release the questions and answer keys to each assessment instrument administered under Subsection (b), (c), or (l), excluding any assessment instrument administered to a student for the purpose of retaking the assessment instrument and any assessment instrument covering a subject or course for which the questions and answer keys for the 2012-2013 assessment instrument covering that subject or course were released, after the last time the instrument is administered for the 2013-2014 school year. This subsection expires December 31, 2014.

(e-3) Under rules adopted by the commissioner, for the 2013-2014 school year, the agency each year shall release the questions and answer keys to each assessment instrument administered under Subsection (a), (b), (c), (d), or (l) during the 2013-2014 school year after the last time any assessment instrument is administered for the 2013-2014 school year. This subsection expires December 31, 2014.

(h) The agency shall notify school districts and campuses of the results of assessment instruments administered under this section [at the earliest possible date determined by the State Board of Education but] not later than the 21st day after the date the assessment instrument is administered [beginning of the subsequent school year]. The school district shall disclose to each district teacher the results of assessment instruments administered to students taught by the teacher in the subject for

1 the school year in which the assessment instrument is administered.

2 (b) This section applies beginning with the 2013-2014
3 school year.

4 SECTION 32. (a) Section 39.0232, Education Code, is
5 amended to read as follows:

6 Sec. 39.0232. USE OF END-OF-COURSE ASSESSMENT INSTRUMENT AS
7 PLACEMENT INSTRUMENT; CERTAIN USES PROHIBITED. (a) To the extent
8 practicable, the agency shall ensure that any high school
9 end-of-course assessment instrument developed by the agency is
10 developed in such a manner that the assessment instrument may be
11 used to determine the appropriate placement of a student in a course
12 of the same subject matter at an institution of higher education.

13 (b) A student's performance on an end-of-course assessment
14 instrument may not be used:

15 (1) in determining the student's class ranking for any
16 purpose, including entitlement to automatic college admission
17 under Section 51.803 or 51.804; or

18 (2) as a sole criterion in the determination of
19 whether to admit the student to a general academic teaching
20 institution in this state.

21 (c) Subsection (b)(2) does not prohibit a general academic
22 teaching institution from implementing an admission policy that
23 takes into consideration a student's performance on an
24 end-of-course assessment instrument in addition to other criteria.

25 (d) In this section, "general academic teaching
26 institution" has the meaning assigned by Section 61.003.

27 (b) This section applies beginning with the 2013-2014

1 school year.

2 SECTION 33. (a) Section 39.0233(a), Education Code, is
3 amended to read as follows:

4 (a) The agency, in coordination with the Texas Higher
5 Education Coordinating Board, shall adopt a series of questions to
6 be included in an end-of-course assessment instrument administered
7 under Section 39.023(c) to be used for purposes of Section 51.3062.
8 The questions adopted under this subsection must be developed in a
9 manner consistent with any college readiness standards adopted
10 under Sections 39.233 [~~39.113~~] and 51.3062.

11 (b) This section applies beginning with the 2013-2014
12 school year.

13 SECTION 34. (a) Subchapter B, Chapter 39, Education Code,
14 is amended by adding Section 39.0238 to read as follows:

15 Sec. 39.0238. ADOPTION AND ADMINISTRATION OF POSTSECONDARY
16 READINESS ASSESSMENT INSTRUMENTS. (a) In addition to other
17 assessment instruments adopted and developed under this
18 subchapter, the agency shall adopt or develop appropriate
19 postsecondary readiness assessment instruments for Algebra II and
20 English III that a school district may administer at the district's
21 option.

22 (b) To the extent practicable, the agency shall ensure that
23 each postsecondary readiness assessment instrument:

24 (1) assesses essential knowledge and skills and
25 growth;

26 (2) is developed in a manner that measures a student's
27 performance under the college readiness standards established

1 under Section 28.008; and

2 (3) is validated by national postsecondary education
3 experts for college readiness content and performance standards.

4 (c) In adopting a schedule for the administration of
5 postsecondary readiness assessment instruments under this section,
6 the State Board of Education shall require the annual
7 administration of the postsecondary readiness assessment
8 instruments to occur not earlier than the second full week in May.

9 (d) The agency shall adopt a policy requiring each school
10 district that elects to administer postsecondary readiness
11 assessment instruments under Subsection (a) to annually:

12 (1) administer the applicable postsecondary readiness
13 assessment instrument to each student enrolled in a course for
14 which a postsecondary readiness assessment instrument is adopted or
15 developed under Subsection (a), including applied Algebra II; and

16 (2) report the results of the postsecondary readiness
17 assessment instruments to the agency.

18 (e) The agency shall annually deliver a report to the
19 governor, the lieutenant governor, the speaker of the house of
20 representatives, and the presiding officers of the standing
21 committees of the legislature with jurisdiction over public
22 education. The report must include a summary of student performance
23 on the preceding year's postsecondary readiness assessment
24 instruments.

25 (f) The results of a postsecondary readiness assessment
26 instrument administered under this section may not be used by:

27 (1) the agency for accountability purposes for a

school campus or school district;

(2) a school district:

(A) for the purpose of teacher evaluations; or

(B) in determining a student's final course grade
or determining a student's class rank for the purpose of high school
graduation; or

(3) an institution of higher education:

(A) for admission purposes; or

(B) to determine eligibility for a TEXAS grant.

(g) A school district may not administer an additional
benchmark assessment instrument solely for the purpose of preparing
for a postsecondary readiness assessment instrument administered
under this section. In this subsection, "benchmark assessment
instrument" means a district-required assessment instrument
designed to prepare students for a postsecondary readiness
assessment instrument administered under this section.

(h) The agency shall acknowledge a school district that
elects to administer the postsecondary readiness assessment
instruments as provided by Subsection (a).

(b) This section applies beginning with the ²⁰¹⁵⁻²⁰¹⁶~~2014-2015~~
school year.

SECTION 35. (a) Section 39.025, Education Code, is amended
by amending Subsections (a), (a-1), (b), and (b-2) and adding
Subsection (a-4) to read as follows:

(a) The commissioner shall adopt rules requiring a student
participating in the recommended or advanced high school program to
be administered each end-of-course assessment instrument listed in

1 Section 39.023(c) and requiring a student participating in the
2 minimum high school program to be administered an end-of-course
3 assessment instrument listed in Section 39.023(c) only for a course
4 in which the student is enrolled and for which an end-of-course
5 assessment instrument is administered. A student is required to
6 achieve~~[, in each subject in the foundation curriculum under~~
7 ~~Section 28.002(a)(1), a cumulative score that is at least equal to~~
8 ~~the product of the number of end-of-course assessment instruments~~
9 ~~administered to the student in that subject and]~~ a scale score that
10 indicates satisfactory performance, as determined by the
11 commissioner under Section 39.0241(a), on each end-of-course
12 assessment instrument listed under Section 39.023(c) that is
13 administered to the student as provided by this subsection. For
14 each scale score required under this subsection that is not based on
15 a 100-point scale scoring system, the commissioner shall provide
16 for conversion, in accordance with commissioner rule, of the scale
17 score to an equivalent score based on a 100-point scale scoring
18 system. ~~[A student must achieve a minimum score as determined by~~
19 ~~the commissioner to be within a reasonable range of the scale score~~
20 ~~under Section 39.0241(a) on an end-of-course assessment instrument~~
21 ~~for the score to count towards the student's cumulative score. For~~
22 ~~purposes of this subsection, a student's cumulative score is~~
23 ~~determined using the student's highest score on each end-of-course~~
24 ~~assessment instrument administered to the student.]~~ A student may
25 not receive a high school diploma until the student has performed
26 satisfactorily on ~~[the]~~ end-of-course assessment instruments in
27 the manner provided under this subsection. This subsection does

1 not require a student to demonstrate readiness to enroll in an
2 institution of higher education.

3 (a-1) A student enrolled in a college preparatory course
4 under Section 28.014 who satisfies the Texas Success Initiative
5 (TSI) college readiness benchmarks prescribed by the Texas Higher
6 Education Coordinating Board under Section 51.3062(f) on an
7 assessment instrument designated by the Texas Higher Education
8 Coordinating Board under Section 51.3062(c) administered at the end
9 of the college preparatory course satisfies the requirements
10 concerning an end-of-course assessment in an equivalent course as
11 prescribed by Subsection (a). The commissioner [~~by rule~~] shall
12 determine a method by which a student's satisfactory performance on
13 an advanced placement test, an international baccalaureate
14 examination, an SAT Subject Test, the SAT, the ACT, or any
15 nationally recognized norm-referenced [~~another~~] assessment
16 instrument used by institutions of higher education to award course
17 credit based on satisfactory performance on the [~~determined by the~~
18 ~~commissioner to be at least as rigorous as an end-of-course~~]
19 assessment instrument shall [~~adopted under Section 39.023(c) may~~]
20 be used to satisfy [~~as a factor in determining whether the student~~
21 ~~satisfies~~] the requirements concerning an end-of-course assessment
22 instrument in an equivalent course as prescribed by [~~of~~] Subsection
23 (a) [~~, including the cumulative score requirement of that~~
24 ~~subsection~~]. The commissioner shall [~~by rule may~~] determine a
25 method by which a student's satisfactory performance on the PSAT [~~a~~
26 ~~Preliminary Scholastic Assessment Test (PSAT) assessment~~] or the
27 ACT-Plan shall [~~a preliminary American College Test (ACT)~~]

1 ~~assessment may]~~ be used to satisfy ~~[as a factor in determining~~
2 ~~whether the student satisfies]~~ the requirements concerning an
3 end-of-course assessment instrument in an equivalent course as
4 prescribed by ~~[of]~~ Subsection (a). A student who fails to perform
5 satisfactorily on a test or other assessment instrument authorized
6 under this subsection, other than the PSAT or the ACT-Plan, may
7 retake that test or other assessment instrument for purposes of
8 this subsection or may take the appropriate end-of-course
9 assessment instrument. A student who fails to perform
10 satisfactorily on the PSAT or the ACT-Plan must take the
11 appropriate end-of-course assessment instrument. The commissioner
12 shall adopt rules as necessary for the administration of this
13 subsection.

14 (a-4) The admission, review, and dismissal committee of a
15 student in a special education program under Subchapter A, Chapter
16 29, shall determine whether, to receive a high school diploma, the
17 student is required to achieve satisfactory performance on
18 end-of-course assessment instruments.

19 (b) Each time an end-of-course assessment instrument
20 adopted under Section 39.023(c) is administered, a student who
21 failed to achieve a [minimum] score requirement under Subsection
22 (a) may [shall] retake the assessment instrument. [A student who
23 fails to perform satisfactorily on an Algebra II or English III
24 end-of-course assessment instrument under the college readiness
25 performance standard, as provided under Section 39.024(b), may
26 retake the assessment instrument. Any other student may retake an
27 end-of-course assessment instrument for any reason.] A student is

not required to retake a course as a condition of retaking an end-of-course assessment instrument.

(b-2) If a school district determines that a student, on completion of grade 11, is unlikely to achieve the ~~[cumulative]~~ score requirement under Subsection (a) ~~[requirements]~~ for one or more end-of-course assessment instruments administered to the student as provided ~~[subjects prescribed]~~ by Subsection (a) for receiving a high school diploma, the district shall require the student to enroll in a corresponding content-area college preparatory course for which an end-of-course assessment instrument has been adopted, if available. A student who enrolls in a college preparatory course described by this subsection shall be administered an end-of-course assessment instrument for the course, with the end-of-course assessment instrument scored on a scale as determined by the commissioner ~~[not to exceed 20 percent of the cumulative score requirements required to graduate as determined under Subsection (a)]~~. A student may use the student's score on the end-of-course assessment instrument for the college preparatory course towards satisfying the ~~[cumulative]~~ score requirement ~~[requirements]~~ prescribed by Subsection (a).

(b) This section applies beginning with the 2013-2014 school year.

SECTION 36. (a) Effective September 1, 2014, Section 39.025(a), Education Code, is amended to read as follows:

(a) The commissioner shall adopt rules requiring a student ~~[participating]~~ in the foundation ~~[recommended or advanced]~~ high school program under Section 28.025 to be administered each

1 end-of-course assessment instrument listed in Section 39.023(c)
2 ~~[and requiring a student participating in the minimum high school~~
3 ~~program to be administered an end-of-course assessment instrument~~
4 ~~listed in Section 39.023(c) only for a course in which the student~~
5 ~~is enrolled and for which an end-of-course assessment instrument is~~
6 ~~administered]~~. A student is required to achieve~~[, in each subject~~
7 ~~in the foundation curriculum under Section 28.002(a)(1), a~~
8 ~~cumulative score that is at least equal to the product of the number~~
9 ~~of end-of-course assessment instruments administered to the~~
10 ~~student in that subject and]~~ a scale score that indicates
11 satisfactory performance, as determined by the commissioner under
12 Section 39.0241(a), on each end-of-course assessment instrument
13 listed under Section 39.023(c). For each scale score required
14 under this subsection that is not based on a 100-point scale scoring
15 system, the commissioner shall provide for conversion, in
16 accordance with commissioner rule, of the scale score to an
17 equivalent score based on a 100-point scale scoring system. [A
18 ~~student must achieve a minimum score as determined by the~~
19 ~~commissioner to be within a reasonable range of the scale score~~
20 ~~under Section 39.0241(a) on an end-of-course assessment instrument~~
21 ~~for the score to count towards the student's cumulative score. For~~
22 ~~purposes of this subsection, a student's cumulative score is~~
23 ~~determined using the student's highest score on each end-of-course~~
24 ~~assessment instrument administered to the student.] A student may
25 not receive a high school diploma until the student has performed
26 satisfactorily on ~~[the]~~ end-of-course assessment instruments in
27 the manner provided under this subsection. This subsection does~~

not require a student to demonstrate readiness to enroll in an institution of higher education.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 37. (a) Subchapter B, Chapter 39, Education Code, is amended by adding Section 39.0263 to read as follows:

Sec. 39.0263. ADMINISTRATION OF DISTRICT-REQUIRED BENCHMARK ASSESSMENT INSTRUMENTS TO PREPARE STUDENTS FOR STATE-ADMINISTERED ASSESSMENT INSTRUMENTS. (a) In this section, "benchmark assessment instrument" means a district-required assessment instrument designed to prepare students for a corresponding state-administered assessment instrument.

(b) Except as provided by Subsection (c), a school district may not administer to any student more than two benchmark assessment instruments to prepare the student for a corresponding state-administered assessment instrument.

(c) The prohibition prescribed by this section does not apply to the administration of a college preparation assessment instrument, including the PSAT, the ACT-Plan, the SAT, or the ACT, an advanced placement test, an international baccalaureate examination, or an independent classroom examination designed or adopted and administered by a classroom teacher.

(d) A parent of or person standing in parental relation to a student who has special needs, as determined in accordance with commissioner rule, may request administration to the student of additional benchmark assessment instruments.

(b) This section applies beginning with the 2013-2014

1 school year.

2 SECTION 38. (a) Section 39.027, Education Code, is amended
3 by adding Subsection (a-2) to read as follows:

4 (a-2) Unless a student is enrolled in a school in the United
5 States for a period of at least 60 consecutive days during a year,
6 the student may not be considered to be enrolled in a school in the
7 United States for that year for the purpose of determining a number
8 of years under Subsection (a)(1), (2), or (3).

9 (b) This section applies beginning with the 2013-2014
10 school year.

11 SECTION 39. Section 39.0301, Education Code, is amended by
12 adding Subsection (a-1) to read as follows:

13 (a-1) In establishing procedures under Subsection (a)(1)
14 for the administration of assessment instruments, the commissioner
15 shall ensure that the procedures are designed to minimize
16 disruptions to school operations and the classroom environment. In
17 implementing the procedures established under Subsection (a)(1)
18 for the administration of assessment instruments, a school district
19 shall minimize disruptions to school operations and the classroom
20 environment.

21 SECTION 40. Subchapter B, Chapter 39, Education Code, is
22 amended by adding Section 39.038 to read as follows:

23 Sec. 39.038. RESTRICTION ON APPOINTMENTS TO ADVISORY
24 COMMITTEES. The commissioner may not appoint a person to a
25 committee or panel that advises the commissioner or agency
26 regarding state accountability systems under this title or the
27 content or administration of an assessment instrument if the person

1 is retained or employed by an assessment instrument vendor.

2 SECTION 41. (a) Subchapter B, Chapter 39, Education Code,
3 is amended by adding Section 39.039 to read as follows:

4 Sec. 39.039. PROHIBITION ON POLITICAL CONTRIBUTION OR
5 ACTIVITY BY CERTAIN CONTRACTORS. (a) A person who is an agent of an
6 entity that has been contracted to develop or implement assessment
7 instruments required under Section 39.023 commits an offense if the
8 person makes or authorizes a political contribution to or takes
9 part in, directly or indirectly, the campaign of any person seeking
10 election to or serving on the State Board of Education.

11 (b) A person who is an agent of an entity that has been
12 contracted to develop or implement assessment instruments required
13 under Section 39.023 commits an offense if the person serves as a
14 member of a formal or informal advisory committee established by
15 the commissioner, agency staff, or the State Board of Education to
16 advise the commissioner, agency staff, or the State Board of
17 Education regarding policies or implementation of the requirements
18 of this subchapter.

19 (c) An offense under this section is a Class B misdemeanor.

20 (b) This section applies September 1, 2013.

21 SECTION 42. (a) Section 39.053, Education Code, is amended
22 by amending Subsections (c) and (g-1) and adding Subsections (c-1)
23 and (c-2) to read as follows:

24 (c) Indicators of student achievement adopted under this
25 section must include:

26 (1) the results of assessment instruments required
27 under Sections 39.023(a), (c), and (1), including the results of

1 assessment instruments required for graduation retaken by a
2 student, aggregated across grade levels by subject area, including:

3 (A) for the performance standard determined by
4 the commissioner under Section 39.0241(a):

5 (i) the percentage of students who
6 performed satisfactorily on the assessment instruments, aggregated
7 across grade levels by subject area; and

8 (ii) for students who did not perform
9 satisfactorily, the percentage of students who met the standard for
10 annual improvement, as determined by the agency under Section
11 39.034, on the assessment instruments, aggregated across grade
12 levels by subject area; and

13 (B) for the college readiness performance
14 standard as determined under Section 39.0241:

15 (i) the percentage of students who
16 performed satisfactorily on the assessment instruments, aggregated
17 across grade levels by subject area; and

18 (ii) for students who did not perform
19 satisfactorily, the percentage of students who met the standard for
20 annual improvement, as determined by the agency under Section
21 39.034, on the assessment instruments, aggregated across grade
22 levels by subject area;

23 (2) dropout rates, including dropout rates and
24 district completion rates for grade levels 9 through 12, computed
25 in accordance with standards and definitions adopted by the
26 National Center for Education Statistics of the United States
27 Department of Education; ~~and~~

1 (3) high school graduation rates, computed in
2 accordance with standards and definitions adopted in compliance
3 with the No Child Left Behind Act of 2001 (20 U.S.C. Section 6301 et
4 seq.);

5 (4) the percentage of students who successfully
6 completed the curriculum requirements for the distinguished level
7 of achievement under the foundation high school program;

8 (5) the percentage of students who successfully
9 completed the curriculum requirements for an endorsement under
10 Section 28.025(c-1); and

11 (6) at least three additional indicators of student
12 achievement to evaluate district and campus performance, which must
13 include either:

14 (A) the percentage of students who satisfy the
15 Texas Success Initiative (TSI) college readiness benchmarks
16 prescribed by the Texas Higher Education Coordinating Board under
17 Section 51.3062(f) on an assessment instrument in reading,
18 writing, or mathematics designated by the Texas Higher Education
19 Coordinating Board under Section 51.3062(c); or

20 (B) the number of students who earn:

21 (i) at least 12 hours of postsecondary
22 credit required for the foundation high school program under
23 Section 28.025 or to earn an endorsement under Section 28.025(c-1);

24 (ii) at least 30 hours of postsecondary
25 credit required for the foundation high school program under
26 Section 28.025 or to earn an endorsement under Section 28.025(c-1);

27 (iii) an associate's degree; or

1 (iv) an industry certification.

2 (c-1) An indicator adopted under Subsection (c) that would
3 measure improvements in student achievement cannot negatively
4 affect the commissioner's review of a school district or campus if
5 that district or campus is already achieving at the highest level
6 for that indicator.

7 (c-2) The commissioner by rule shall determine a method by
8 which a student's performance may be included in determining the
9 performance rating of a school district or campus under Section
10 39.054 if, before the student graduates, the student:

11 (1) satisfies the Texas Success Initiative (TSI)
12 college readiness benchmarks prescribed by the Texas Higher
13 Education Coordinating Board under Section 51.3062(f) on an
14 assessment instrument designated by the Texas Higher Education
15 Coordinating Board under Section 51.3062(c); or

16 (2) performs satisfactorily on an assessment
17 instrument under Section 39.023(c), notwithstanding Subsection
18 (d).

19 (g-1) In computing dropout and completion rates under
20 Subsection (c)(2), the commissioner shall exclude:

21 (1) students who are ordered by a court to attend a
22 high school equivalency certificate program but who have not yet
23 earned a high school equivalency certificate;

24 (2) students who were previously reported to the state
25 as dropouts, including a student who is reported as a dropout,
26 reenrolls, and drops out again, regardless of the number of times of
27 reenrollment and dropping out;

1 (3) students in attendance who are not in membership
2 for purposes of average daily attendance;

3 (4) students whose initial enrollment in a school in
4 the United States in grades 7 through 12 was as unschooled refugees
5 or asylees as defined by Section 39.027(a-1);

6 (5) students who are in the district exclusively as a
7 function of having been detained at a county detention facility but
8 are otherwise not students of the district in which the facility is
9 located; and

10 (6) students who are incarcerated in state jails and
11 federal penitentiaries as adults and as persons certified to stand
12 trial as adults.

13 (b) This section applies beginning with the 2013-2014
14 school year.

15 SECTION 43. (a) Section 39.053(f), Education Code, is
16 amended to read as follows:

17 (f) Annually, the commissioner shall define the state
18 standard for the current school year for each student achievement
19 indicator described by Subsection (c) and shall project the state
20 standards for each indicator for the following two school years.
21 The commissioner shall periodically raise the state standards for
22 the student achievement indicator described by Subsection
23 (c)(1)(B)(i) for accreditation as necessary to reach the goals of
24 achieving, by not later than the 2019-2020 school year:

25 (1) student performance in this state, disaggregated
26 by race, ethnicity, and socioeconomic status, that ranks nationally
27 in the top 10 states in terms of college readiness; and

1 (2) student performance, [~~including the percentage of~~
2 ~~students graduating under the recommended or advanced high school~~
3 ~~program,~~] with no significant achievement gaps by race, ethnicity,
4 and socioeconomic status.

5 (b) This section applies beginning with the 2014-2015
6 school year.

7 SECTION 44. (a) Section 39.054(a), Education Code, is
8 amended to read as follows:

9 (a) The commissioner shall adopt rules to evaluate school
10 district and campus performance and~~[, not later than August 8 of~~
11 ~~each year,~~] assign each district [~~and campus~~] a performance rating
12 of A, B, C, D, or F. In adopting rules under this subsection, the
13 commissioner shall determine the criteria for each designated
14 letter performance rating. A district performance rating of A, B,
15 or C [that] reflects acceptable performance and a district
16 performance rating of D or F reflects [or] unacceptable
17 performance. The commissioner shall also assign each campus a
18 performance rating of exemplary, recognized, acceptable, or
19 unacceptable. A campus performance rating of exemplary,
20 recognized, or acceptable reflects acceptable performance, and a
21 campus performance rating of unacceptable reflects unacceptable
22 performance. A district may not receive a performance rating of A
23 if the district includes any campus with a performance rating of
24 unacceptable. Not later than August 8 of each year, the performance
25 rating of each district and campus shall be made publicly available
26 as provided by rules adopted under this subsection. If a district
27 or campus received a performance rating that reflected [or]

1 unacceptable performance for the preceding school year, the
2 commissioner shall notify the district of a subsequent such
3 designation on or before June 15.

4 (b) This section applies beginning with the 2016-2017
5 school year.

6 SECTION 45. (a) Section 39.054(b), Education Code, is
7 amended to read as follows:

8 (b) In evaluating performance, the commissioner shall
9 evaluate against state standards and consider the performance of
10 each campus in a school district and each open-enrollment charter
11 school on the basis of the campus's or school's performance on the
12 student achievement indicators adopted under Section 39.053, other
13 than, to the greatest extent possible, the student achievement
14 indicator adopted under Section 39.053(c)(1) [39.053(e)].

15 (b) This section applies beginning with the 2013-2014
16 school year.

17 SECTION 46. (a) Subchapter C, Chapter 39, Education Code,
18 is amended by adding Section 39.0545 to read as follows:

19 Sec. 39.0545. SCHOOL DISTRICT EVALUATION OF PERFORMANCE IN
20 COMMUNITY AND STUDENT ENGAGEMENT; COMPLIANCE. (a) Each school
21 district shall evaluate the district's performance and the
22 performance of each campus in the district in community and student
23 engagement and in compliance as provided by this section and assign
24 the district and each campus a performance rating of exemplary,
25 recognized, acceptable, or unacceptable for both overall
26 performance and each individual evaluation factor listed under
27 Subsection (b). Not later than August 8 of each year, the district

1 shall report each performance rating to the agency and make the
2 performance ratings publicly available as provided by commissioner
3 rule.

4 (b) For purposes of assigning the performance ratings under
5 Subsection (a), a school district must evaluate:

6 (1) the following programs or specific categories of
7 performance at each campus:

8 (A) fine arts;

9 (B) wellness and physical education;

10 (C) community and parental involvement, such as:

11 (i) opportunities for parents to assist
12 students in preparing for assessments under Section 39.023;

13 (ii) tutoring programs that support
14 students taking assessments under Section 39.023; and

15 (iii) opportunities for students to
16 participate in community service projects;

17 (D) the 21st Century Workforce Development
18 program;

19 (E) the second language acquisition program;

20 (F) the digital learning environment;

21 (G) dropout prevention strategies; and

22 (H) educational programs for gifted and talented
23 students; and

24 (2) the record of the district and each campus
25 regarding compliance with statutory reporting and policy
26 requirements.

27 (c) A school district shall use criteria developed by a

1 local committee to evaluate:

2 (1) the performance of the district's campus programs
3 and categories of performance under Subsection (b)(1); and

4 (2) the record of the district and each campus
5 regarding compliance under Subsection (b)(2).

6 (b) This section applies beginning with the 2013-2014
7 school year.

8 SECTION 47. Section 39.056, Education Code, is amended by
9 adding Subsection (f) to read as follows:

10 (f) A district which takes action with regard to the
11 recommendations provided by the investigators as prescribed by
12 Subsection (e) shall make a reasonable effort to seek assistance
13 from a third party in developing an action plan to improve district
14 performance using improvement techniques that are goal oriented and
15 research based.

16 SECTION 48. (a) Section 39.057(a), Education Code, is
17 amended to read as follows:

18 (a) The commissioner shall authorize special accreditation
19 investigations to be conducted:

20 (1) when excessive numbers of absences of students
21 eligible to be tested on state assessment instruments are
22 determined;

23 (2) when excessive numbers of allowable exemptions
24 from the required state assessment instruments are determined;

25 (3) in response to complaints submitted to the agency
26 with respect to alleged violations of civil rights or other
27 requirements imposed on the state by federal law or court order;

1 (4) in response to established compliance reviews of
2 the district's financial accounting practices and state and federal
3 program requirements;

4 (5) when extraordinary numbers of student placements
5 in disciplinary alternative education programs, other than
6 placements under Sections 37.006 and 37.007, are determined;

7 (6) in response to an allegation involving a conflict
8 between members of the board of trustees or between the board and
9 the district administration if it appears that the conflict
10 involves a violation of a role or duty of the board members or the
11 administration clearly defined by this code;

12 (7) when excessive numbers of students in special
13 education programs under Subchapter A, Chapter 29, are assessed
14 through assessment instruments developed or adopted under Section
15 39.023(b);

16 (8) in response to an allegation regarding or an
17 analysis using a statistical method result indicating a possible
18 violation of an assessment instrument security procedure
19 established under Section 39.0301, including for the purpose of
20 investigating or auditing a school district under that section;

21 (9) when a significant pattern of decreased academic
22 performance has developed as a result of the promotion in the
23 preceding two school years of students who did not perform
24 satisfactorily as determined by the commissioner under Section
25 39.0241(a) on assessment instruments administered under Section
26 39.023(a), (c), or (1);

27 (10) ~~[when excessive numbers of students graduate~~

~~under the minimum high school program,~~

~~[(11)] when excessive numbers of students eligible to enroll fail to complete an Algebra II course or any other advanced course as determined by the commissioner ~~[as distinguishing between students participating in the recommended high school program from students participating in the minimum high school program]~~;~~

(11) [(12)] when resource allocation practices as evaluated under Section 39.0821 indicate a potential for significant improvement in resource allocation;

(12) when a disproportionate number of students of a particular demographic group is graduating with a particular endorsement under Section 28.025(c-1);

(13) when an excessive number of students is graduating with a particular endorsement under Section 28.025(c-1); or

(14) [(13)] as the commissioner otherwise determines necessary.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 49. (a) Section 39.082, Education Code, is amended by amending Subsections (a) and (b) and adding Subsections (d), (e), (f), (g), (h), (h-1), and (i) to read as follows:

(a) The commissioner shall, in consultation with the comptroller, develop and implement separate financial accountability rating systems for school districts and open-enrollment charter schools in this state that:

(1) distinguish among school districts and

1 distinguish among open-enrollment charter schools, as applicable,
2 based on levels of financial performance; ~~and~~

3 (2) include procedures to:

4 (A) provide additional transparency to public
5 education finance; and

6 (B) enable the commissioner and school district
7 and open-enrollment charter school administrators to provide
8 meaningful financial oversight and improvement; and

9 (3) include processes for anticipating the future
10 financial solvency of each school district and open-enrollment
11 charter school, including analysis of district and school revenues
12 and expenditures for preceding school years.

13 (b) The system must include uniform indicators adopted by
14 ~~the~~ commissioner rule by which to measure the financial
15 management performance and future financial solvency of a district
16 or open-enrollment charter school. In adopting indicators under
17 this subsection, the commissioner shall assign a point value to
18 each indicator to be used in a scoring matrix developed by the
19 commissioner. Any reference to a teacher in an indicator adopted by
20 the commissioner under this subsection means a classroom teacher.

21 (d) The commissioner shall evaluate indicators adopted
22 under Subsection (b) at least once every three years.

23 (e) Under the financial accountability rating system
24 developed under this section, each school district or
25 open-enrollment charter school, as applicable, shall be assigned a
26 financial accountability rating. In adopting rules under this
27 section, the commissioner, in consultation with the comptroller,

1 shall determine the criteria for each designated performance
2 rating.

3 (f) A district or open-enrollment charter school shall
4 receive the lowest rating under the system if the district or school
5 fails to achieve a satisfactory rating on:

6 (1) an indicator adopted under Subsection (b) relating
7 to financial management or solvency that the commissioner
8 determines to be critical; or

9 (2) a category of indicators that suggest trends
10 leading to financial distress as determined by the commissioner.

11 (g) Before assigning a final rating under the system, the
12 commissioner shall assign each district or open-enrollment charter
13 school a preliminary rating. A district or school may submit
14 additional information to the commissioner relating to any
15 indicator on which performance was considered unsatisfactory. The
16 commissioner shall consider any additional information submitted
17 by a district or school before assigning a final rating. If the
18 commissioner determines that the additional information negates
19 the concern raised by the indicator on which performance was
20 considered unsatisfactory, the commissioner may not penalize the
21 district or school on the basis of the indicator.

22 (h) The commissioner shall adopt rules for the
23 implementation of this section.

24 (h-1) The commissioner shall adopt initial rules necessary
25 to implement the changes to this section made by the 83rd
26 Legislature, Regular Session, 2013, not later than March 1, 2015.
27 This subsection expires April 1, 2015.

1 (i) Not later than August 8 of each year, the financial
2 accountability rating of each school district and open-enrollment
3 charter school under the financial accountability rating system
4 developed under this section shall be made publicly available as
5 provided by rules adopted under this section.

6 (b) This section applies beginning with the 2014-2015
7 school year.

8 SECTION 50. (a) Section 39.0823, Education Code, is
9 amended by amending Subsection (a) and adding Subsection (d) to
10 read as follows:

11 (a) If the commissioner, based on the indicators adopted
12 under Section 39.082 or other relevant information, projects a
13 [review process under Section 39.0822 indicates a projected]
14 deficit for a school district or open-enrollment charter school
15 general fund within the following three school years, the agency
16 [district] shall provide the district or school [agency] interim
17 financial reports, including projected revenues and expenditures
18 [supplemented by staff and student count data, as needed], to
19 evaluate the [district's] current budget status of the district or
20 school.

21 (d) The agency may require a district or open-enrollment
22 charter school to submit additional information needed to produce a
23 financial report under Subsection (a). If a district or school
24 fails to provide information requested under this subsection or if
25 the commissioner determines that the information submitted by a
26 district or school is unreliable, the commissioner may order the
27 district or school to acquire professional services as provided by

1 Section 39.109.

2 (b) This section applies beginning with the 2014-2015
3 school year.

4 SECTION 51. (a) Subchapter D, Chapter 39, Education Code,
5 is amended by adding Section 39.0824 to read as follows:

6 Sec. 39.0824. CORRECTIVE ACTION PLAN. (a) A school
7 district or open-enrollment charter school assigned the lowest
8 rating under Section 39.082 shall submit to the commissioner a
9 corrective action plan to address the financial weaknesses of the
10 district or school. A corrective action plan must identify the
11 specific areas of financial weaknesses, such as financial
12 weaknesses in transportation, curriculum, or teacher development,
13 and include strategies for improvement.

14 (b) The commissioner may impose appropriate sanctions under
15 Subchapter E against a district or school failing to submit or
16 implement a corrective action plan required under Subsection (a).

17 (b) This section applies beginning with the 2014-2015
18 school year.

19 SECTION 52. (a) Section 39.083(b), Education Code, is
20 amended to read as follows:

21 (b) The annual financial management report must include:

22 (1) a description of the district's financial
23 management performance based on a comparison, provided by the
24 agency, of the district's performance on the indicators adopted
25 under Section 39.082(b) to:

26 (A) state-established standards; and

27 (B) the district's previous performance on the

1 indicators; and

2 (2) [~~a description of the data submitted using the~~
3 ~~electronic-based program developed under Section 39.0822, and~~

4 [~~(3)~~] any descriptive information required by the
5 commissioner.

6 (b) This section applies beginning with the 2014-2015
7 school year.

8 SECTION 53. (a) Section 39.201(a), Education Code, is
9 amended to read as follows:

10 (a) Not later than August 8 of each year, the commissioner
11 shall award distinction designations for outstanding performance
12 as provided by [~~under~~] this subchapter. A distinction designation
13 awarded to a district or campus under this subchapter shall be
14 referenced directly in connection with the performance rating
15 assigned to the district or campus and made publicly available
16 together with the performance ratings as provided by rules adopted
17 under Section 39.054(a).

18 (b) This section applies beginning with the 2013-2014
19 school year.

20 SECTION 54. (a) Section 39.202, Education Code, is amended
21 to read as follows:

22 Sec. 39.202. ACADEMIC [~~EXCELLENCE~~] DISTINCTION DESIGNATION
23 FOR DISTRICTS AND CAMPUSES. The commissioner by rule shall
24 establish [~~a recognized and exemplary rating for awarding districts~~
25 ~~and campuses~~] an academic distinction designation for districts and
26 campuses for outstanding performance in attainment of
27 postsecondary readiness [~~under this subchapter~~]. The [~~In~~

~~establishing the recognized and exemplary ratings, the]~~
 commissioner shall adopt criteria for the designation under this
section ~~[ratings]~~, including:

(1) percentages of students who:

(A) performed satisfactorily, as determined
 under the college readiness performance standard under Section
 39.0241, on assessment instruments required under Section
 39.023(a), (b), (c), or (l), aggregated across grade levels by
 subject area; or

(B) met the standard for annual improvement, as
 determined by the agency under Section 39.034, on assessment
 instruments required under Section 39.023(a), (b), (c), or (l),
 aggregated across grade levels by subject area, for students who
 did not perform satisfactorily as described by Paragraph (A);

(2) percentages of:

(A) students who earned a nationally or
internationally recognized business or industry certification or
license;

(B) students who completed a coherent sequence of
career and technical courses;

(C) students who completed a dual credit course
or an articulated postsecondary course provided for local credit;

(D) students who achieved applicable College
Readiness Benchmarks or the equivalent on the Preliminary
Scholastic Assessment Test (PSAT), the Scholastic Assessment Test
(SAT), the American College Test (ACT), or the ACT-Plan assessment
program; and

1 (E) students who received a score on either an
2 advanced placement test or an international baccalaureate
3 examination to be awarded college credit; and

4 (3) [(2)] other factors for determining sufficient
5 student attainment of postsecondary readiness.

6 (b) This section applies beginning with the 2013-2014
7 school year.

8 SECTION 55. (a) Section 39.203, Education Code, is amended
9 to read as follows:

10 Sec. 39.203. CAMPUS DISTINCTION DESIGNATIONS. (a) The
11 commissioner shall award a campus a distinction designation for
12 outstanding performance in improvement in student achievement if
13 the campus is ranked in the top 25 percent of campuses in the state
14 in annual improvement in student achievement as determined under
15 Section 39.034.

16 (b) In addition to the distinction designation described by
17 Subsection (a), the commissioner shall award a campus a distinction
18 designation for outstanding performance in closing student
19 achievement differentials if the campus demonstrates an ability to
20 significantly diminish or eliminate performance differentials
21 between student subpopulations and is ranked in the top 25 percent
22 of campuses in this state under the performance criteria described
23 by this subsection. The commissioner shall adopt rules related to
24 the distinction designation under this subsection to ensure that a
25 campus does not artificially diminish or eliminate performance
26 differentials through inhibiting the achievement of the highest
27 achieving student subpopulation.

1 (c) In addition to the distinction designations described
2 by Subsections (a) and (b), a campus that satisfies the criteria
3 developed under Section 39.204 shall be awarded a distinction
4 designation by the commissioner for outstanding performance in ~~[for~~
5 ~~the following programs or the following specific categories of~~
6 ~~performance.~~

7 ~~[(1)]~~ academic achievement in English language arts,
8 mathematics, science, or social studies~~+~~

9 ~~[(2)] fine arts,~~

10 ~~[(3)] physical education,~~

11 ~~[(4)] 21st Century Workforce Development program, and~~

12 ~~[(5)] second language acquisition program].~~

13 (d) In addition to the distinction designations otherwise
14 described by this section, the commissioner may award a distinction
15 designation for outstanding performance in advanced middle or
16 junior high school student achievement to a campus with a
17 significant number of students below grade nine who perform
18 satisfactorily on an end-of-course assessment instrument
19 administered under Section 39.023(c).

20 (b) This section applies beginning with the 2013-2014
21 school year.

22 SECTION 56. (a) Section 39.235(b), Education Code, is
23 amended to read as follows:

24 (b) Before awarding a grant under this section, the
25 commissioner may require a campus or school district to:

26 (1) obtain local matching funds; or

27 (2) meet other conditions, including developing a

1 personal graduation plan under Section 28.0212 or 28.02121, as
2 applicable, for each student enrolled at the campus or in a district
3 middle, junior high, or high school.

4 (b) This section applies beginning with the 2014-2015
5 school year.

6 SECTION 57. (a) Section 39.301(c), Education Code, is
7 amended to read as follows:

8 (c) Indicators for reporting purposes must include:

9 (1) the percentage of graduating students who meet the
10 course requirements established by State Board of Education rule
11 for:

12 (A) the foundation [~~minimum~~] high school
13 program;

14 (B) [~~T~~] the distinguished level of achievement
15 under the foundation [~~recommended~~] high school program; [~~T~~] and

16 (C) each endorsement described by Section 28.025
17 (c-1) [the advanced high school program];

18 (2) the results of the SAT, ACT, articulated
19 postsecondary degree programs described by Section 61.852, and
20 certified workforce training programs described by Chapter 311,
21 Labor Code;

22 (3) for students who have failed to perform
23 satisfactorily, under each performance standard under Section
24 39.0241, on an assessment instrument required under Section
25 39.023(a) or (c), the performance of those students on subsequent
26 assessment instruments required under those sections, aggregated
27 by grade level and subject area;

(4) for each campus, the number of students, disaggregated by major student subpopulations, that ~~[agree under Section 28.025(b) to]~~ take courses under the foundation [minimum] high school program and take additional courses to earn an endorsement under Section 28.025(c-1), disaggregated by type of endorsement;

(5) the percentage of students, aggregated by grade level, provided accelerated instruction under Section 28.0211(c), the results of assessment instruments administered under that section, the percentage of students promoted through the grade placement committee process under Section 28.0211, the subject of the assessment instrument on which each student failed to perform satisfactorily under each performance standard under Section 39.0241, and the performance of those students in the school year following that promotion on the assessment instruments required under Section 39.023;

(6) the percentage of students of limited English proficiency exempted from the administration of an assessment instrument under Sections 39.027(a)(1) and (2);

(7) the percentage of students in a special education program under Subchapter A, Chapter 29, assessed through assessment instruments developed or adopted under Section 39.023(b);

(8) the percentage of students who satisfy the college readiness measure;

(9) the measure of progress toward dual language proficiency under Section 39.034(b), for students of limited English proficiency, as defined by Section 29.052;

(10) the percentage of students who are not educationally disadvantaged;

(11) the percentage of students who enroll and begin instruction at an institution of higher education in the school year following high school graduation; and

(12) the percentage of students who successfully complete the first year of instruction at an institution of higher education without needing a developmental education course.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 58. Subchapter J, Chapter 39, Education Code, is amended by adding Section 39.309 to read as follows:

Sec. 39.309. TEXAS SCHOOL ACCOUNTABILITY DASHBOARD. (a) The agency shall develop and maintain an Internet website, separate from the agency's Internet website, to be known as the Texas School Accountability Dashboard for the public to access school district and campus accountability information.

(b) The commissioner shall adopt, for use on the Texas School Accountability Dashboard, a performance index in each of the following areas:

- (1) student achievement;
- (2) student progress;
- (3) closing performance gaps; and
- (4) postsecondary readiness.

(c) The Texas School Accountability Dashboard developed under Subsection (a) must include:

- (1) performance information for each school district

1 and campus in areas specified by Subsection (b) and must allow for
2 comparison between districts and campuses in each of the areas;

3 (2) a comparison of the number of students enrolled in
4 each school district, including:

5 (A) the percentage of students of limited English
6 proficiency, as defined by Section 29.052;

7 (B) the percentage of students who are unschooled
8 asylees or refugees, as defined by Section 39.027(a-1);

9 (C) the percentage of students who are
10 educationally disadvantaged; and

11 (D) the percentage of students with
12 disabilities;

13 (3) a comparison of performance information for each
14 district and campus disaggregated by race, ethnicity, and
15 populations served by special programs, including special
16 education, bilingual education, and special language programs; and

17 (4) a comparison of performance information by subject
18 area.

19 SECTION 59. (a) Section 39.332(b), Education Code, is
20 amended by amending Subdivision (23) and adding Subdivision (24) to
21 read as follows:

22 (23) The report must contain an evaluation of the
23 availability of endorsements under Section 28.025(c-1), including
24 the following information for each school district:

25 (A) the endorsements under Section 28.025(c-1)
26 for which the district offers all courses for curriculum
27 requirements as determined by board rule; and

1 (B) the district's economic, geographic, and
2 demographic information, as determined by the commissioner.

3 (24) The report must contain any additional
4 information considered important by the commissioner or the State
5 Board of Education.

6 (b) This section applies beginning with the 2014-2015
7 school year.

8 SECTION 60. (a) Subchapter L, Chapter 39, Education Code,
9 is amended by adding Section 39.363 to read as follows:

10 Sec. 39.363. NOTICE ON AGENCY WEBSITE. Not later than
11 October 1 of each year, the agency shall make the following
12 information available to the public on the agency's Internet
13 website:

14 (1) the letter performance rating assigned to each
15 school district and campus under Section 39.054 and each
16 distinction designation awarded to a school district or campus
17 under Subchapter G;

18 (2) the performance rating assigned to a school
19 district and each campus in the district by the district under
20 Section 39.0545; and

21 (3) the financial accountability rating assigned to
22 each school district and open-enrollment charter school under
23 Section 39.082.

24 (b) This section applies beginning with the 2013-2014
25 school year.

26 ~~SECTION 61. Sections 42.154(a) and (c), Education Code, are~~
27 ~~amended to read as follows:~~

(a) For each full-time equivalent student in average daily attendance in an approved career and technology education program in grades nine through 12, ~~or~~ in career and technology education programs for students with disabilities in grades seven through 12, or in a course in career explorations in grade seven or eight, a district is entitled to:

(1) an annual allotment equal to the adjusted basic allotment multiplied by a weight of 1.35; and

(2) \$50, if the student is in grades nine through 12 and enrolled in:

(A) two or more advanced career and technology education classes for a total of three or more credits; or

(B) an advanced course as part of a tech-prep program under Subchapter T, Chapter 61.

(c) Funds allocated under this section, other than an indirect cost allotment established under State Board of Education rule, must be used in providing:

(1) career and technology education programs in grades nine through 12 or career and technology education programs for students with disabilities in grades seven through 12 under Sections 29.182, 29.183, and 29.184; or

(2) courses in career explorations for students in grade seven or eight.

SECTION 62. (a) Section 51.3062(q-1), Education Code, is amended to read as follows:

(q-1) A student who has ~~[completed a recommended or advanced high school program as determined under Section 28.025 and]~~

1 demonstrated the performance standard for college readiness as
2 provided by Section 28.008 [~~39.024~~] on the postsecondary readiness
3 assessment instruments adopted under Section 39.0238 for Algebra II
4 and English III [~~end-of-course assessment instruments~~] is exempt
5 from the requirements of this section with respect to those content
6 areas. The commissioner of higher education by rule shall
7 establish the period for which an exemption under this subsection
8 is valid.

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9 (b) This section applies beginning with the ~~2014-2015~~
10 school year.

11 SECTION 63. (a) Section 51.3062, Education Code, is amended
12 by adding Subsection (q-2) to read as follows:

13 (q-2) A student who successfully completes a college
14 preparatory course under Section 28.014 is exempt from the
15 requirements of this section with respect to the content area of the
16 course. The commissioner of higher education by rule shall
17 establish the period for which an exemption under this subsection
18 is valid. The exemption applies only at the institution of higher
19 education that partners with the school district in which the
20 student is enrolled to provide the course, except that the
21 commissioner by rule may determine the manner in which the
22 exemption may be applied to institutions of higher education other
23 than the partnering institution.

24 (b) This section applies beginning with the 2013-2014
25 school year.

26 SECTION 64. (a) Section 51.803, Education Code, is amended
27 by amending Subsections (a), (b), and (d) and adding Subsection (m)

1 to read as follows:

2 (a) Subject to Subsection (a-1), each general academic
3 teaching institution shall admit an applicant for admission to the
4 institution as an undergraduate student if the applicant graduated
5 with a grade point average in the top 10 percent of the student's
6 high school graduating class in one of the two school years
7 preceding the academic year for which the applicant is applying for
8 admission and:

9 (1) the applicant graduated from a public or private
10 high school in this state accredited by a generally recognized
11 accrediting organization or from a high school operated by the
12 United States Department of Defense;

13 (2) the applicant:

14 (A) successfully completed:

15 (i) at a public high school, the curriculum
16 requirements established under Section 28.025 for the
17 distinguished level of achievement under the foundation
18 ~~[recommended or advanced]~~ high school program; or

19 (ii) at a high school to which Section
20 28.025 does not apply, a curriculum that is equivalent in content
21 and rigor to the distinguished level of achievement under the
22 foundation ~~[recommended or advanced]~~ high school program; or

23 (B) satisfied ACT's College Readiness Benchmarks
24 on the ACT assessment applicable to the applicant or earned on the
25 SAT assessment a score of at least 1,500 out of 2,400 or the
26 equivalent; and

27 (3) if the applicant graduated from a high school

1 operated by the United States Department of Defense, the applicant
2 is a Texas resident under Section 54.052 or is entitled to pay
3 tuition fees at the rate provided for Texas residents under Section
4 54.241(d) [~~54.058(a)~~] for the term or semester to which admitted.

5 (b) An applicant who does not satisfy the curriculum
6 requirements prescribed by Subsection (a)(2)(A)(i) or (ii) is
7 considered to have satisfied those requirements if the student
8 completed the portion of the distinguished level of achievement
9 under the foundation high school program [~~recommended or advanced~~]
10 curriculum or of the curriculum equivalent in content and rigor, as
11 applicable, that was available to the student but was unable to
12 complete the remainder of the curriculum solely because courses
13 necessary to complete the remainder were unavailable to the student
14 at the appropriate times in the student's high school career as a
15 result of course scheduling, lack of enrollment capacity, or
16 another cause not within the student's control.

17 (d) For purposes of Subsection (c)(2), a student's official
18 transcript or diploma must, not later than the end of the student's
19 junior year, indicate:

20 (1) whether the student has satisfied or is on
21 schedule to satisfy the requirements of Subsection (a)(2)(A)(i) or
22 (ii), as applicable; or

23 (2) if Subsection (b) applies to the student, whether
24 the student has completed the portion of the distinguished level of
25 achievement under the foundation high school program [~~recommended~~
26 ~~or advanced~~] curriculum or of the curriculum equivalent in content
27 and rigor, as applicable, that was available to the student.

(m) The Texas Higher Education Coordinating Board and the commissioner of education shall jointly adopt rules to establish eligibility requirements for admission under this section as to curriculum requirements for high school graduation under Subsection (a)(2)(A) for students participating under the recommended or advanced high school program so that the admission of those students is not affected by their participation in the recommended or advanced high school program. This subsection expires September 1, 2020.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 65. (a) Section 51.805, Education Code, is amended by amending Subsection (a) and adding Subsection (g) to read as follows:

(a) A graduating student who does not qualify for admission under Section 51.803 or 51.804 may apply to any general academic teaching institution if the student:

(1) successfully completed ~~[satisfies the requirements of]~~:

(A) at a public high school, the curriculum requirements established under Section 28.025 for the foundation high school program; or

(B) at a high school to which Section 28.025 does not apply, a curriculum that is equivalent in content and rigor to the foundation high school program ~~[(1) Section 51.803(a)(2)(A) or 51.803(b), as applicable to the student, or Section 51.803(a)(2)(B)]~~; or ~~[and]~~

1 (2) satisfied ACT's College Readiness Benchmarks on
2 the ACT assessment applicable to the applicant or earned on the SAT
3 assessment a score of at least 1,500 out of 2,400 or the equivalent
4 [Sections 51.803(c)(2) and 51.803(d)].

5 (g) The Texas Higher Education Coordinating Board and the
6 commissioner of education shall jointly adopt rules to establish
7 eligibility requirements for admission under this section as to
8 curriculum requirements for high school graduation under
9 Subsection (a)(1) for students participating in the minimum,
10 recommended, or advanced high school program so that the admission
11 requirements for those students under this section are not more
12 stringent than the admission requirements under this section for
13 students participating in the foundation high school program. This
14 subsection expires September 1, 2020.

15 (b) This section applies beginning with the 2014-2015
16 school year.

17 SECTION 66. (a) Section 51.807(b), Education Code, is
18 amended to read as follows:

19 (b) The Texas Higher Education Coordinating Board, after
20 consulting with the Texas Education Agency, by rule shall establish
21 standards for determining for purposes of this subchapter:

22 (1) whether a private high school is accredited by a
23 generally recognized accrediting organization; and

24 (2) whether a person completed a high school
25 curriculum that is equivalent in content and rigor to the
26 curriculum requirements established under Section 28.025 for the
27 foundation ~~[recommended or advanced]~~ high school program or the

1 distinguished level of achievement under the foundation high school
2 program.

3 (b) This section applies beginning with the 2014-2015
4 school year.

5 SECTION 67. (a) Subchapter A, Chapter 56, Education Code,
6 is amended by adding Section 56.009 to read as follows:

7 Sec. 56.009. ELIGIBILITY BASED ON GRADUATION UNDER CERTAIN
8 HIGH SCHOOL PROGRAMS. To the extent that a person's eligibility to
9 participate in any program under this chapter, including
10 Subchapters K, Q, and R, is contingent on the person graduating
11 under the recommended or advanced high school program, as those
12 programs existed before the adoption of H.B. No. 5, 83rd
13 Legislature, Regular Session, 2013, the Texas Higher Education
14 Coordinating Board and the commissioner of education shall jointly
15 adopt rules to modify, clarify, or otherwise establish for affected
16 programs appropriate eligibility requirements regarding high
17 school curriculum completion.

18 (b) This section applies beginning with the 2014-2015
19 school year.

20 SECTION 68. (a) Section 56.3041, Education Code, is
21 amended to read as follows:

22 Sec. 56.3041. INITIAL ELIGIBILITY OF PERSON GRADUATING FROM
23 HIGH SCHOOL ON OR AFTER MAY 1, 2013, AND ENROLLING IN A GENERAL
24 ACADEMIC TEACHING INSTITUTION. (a) Notwithstanding Section
25 56.304(a), to be eligible initially for a TEXAS grant, a person
26 graduating from high school on or after May 1, 2013, and enrolling
27 in a general academic teaching institution must:

1 (1) be a resident of this state as determined by
2 coordinating board rules;

3 (2) meet the academic requirements prescribed by
4 Paragraph (A), (B), or (C) as follows:

5 (A) be a graduate of a public or accredited
6 private high school in this state who completed the foundation
7 ~~[recommended]~~ high school program established under Section 28.025
8 or its equivalent and have accomplished any two or more of the
9 following:

10 (i) ~~[graduation under the advanced high~~
11 ~~school program established under Section 28.025 or its equivalent,]~~
12 successful completion of the course requirements of the
13 international baccalaureate diploma program~~[r]~~ or earning of the
14 equivalent of at least 12 semester credit hours of college credit in
15 high school through courses described in Sections 28.009(a)(1),
16 (2), and (3);

17 (ii) satisfaction of the Texas Success
18 Initiative (TSI) college readiness benchmarks prescribed by the
19 coordinating board under Section 51.3062(f) on any assessment
20 instrument designated by the coordinating board under Section
21 51.3062(c) ~~[or (e)]~~ or qualification for an exemption as described
22 by Section 51.3062(p), (q), or (q-1);

23 (iii) graduation in the top one-third of
24 the person's high school graduating class or graduation from high
25 school with a grade point average of at least 3.0 on a four-point
26 scale or the equivalent; or

27 (iv) completion for high school credit of

1 at least one advanced mathematics course following the successful
2 completion of an Algebra II course[~~, as permitted by Section~~
3 ~~28.025(b-3),~~] or at least one advanced career and technical or
4 technology applications course[~~, as permitted by Section~~
5 ~~28.025(b-2)~~];

6 (B) have received an associate degree from a
7 public or private institution of higher education; or

8 (C) if sufficient money is available, meet the
9 eligibility criteria described by Section 56.304(a)(2)(A);

10 (3) meet financial need requirements established by
11 the coordinating board;

12 (4) be enrolled in an undergraduate degree or
13 certificate program at the general academic teaching institution;

14 (5) except as provided under rules adopted under
15 Section 56.304(h), be enrolled as:

16 (A) an entering undergraduate student for at
17 least three-fourths of a full course load, as determined by the
18 coordinating board, not later than the 16th month after the
19 calendar month in which the person graduated from high school;

20 (B) an entering undergraduate student who
21 entered military service not later than the first anniversary of
22 the date the person graduated from high school and who enrolled for
23 at least three-fourths of a full course load, as determined by the
24 coordinating board, at the general academic teaching institution
25 not later than 12 months after being honorably discharged from
26 military service; or

27 (C) a continuing undergraduate student for at

1 least three-fourths of a full course load, as determined by the
2 coordinating board, not later than the 12th month after the
3 calendar month in which the person received an associate degree
4 from a public or private institution of higher education;

5 (6) have applied for any available financial aid or
6 assistance; and

7 (7) comply with any additional nonacademic
8 requirements adopted by the coordinating board under this
9 subchapter.

10 (b) For purposes of Subsection (a)(2)(A), a student who
11 graduated under the recommended or advanced high school program is
12 considered to have successfully completed the curriculum
13 requirements of Section 51.803(a)(2)(A)(i). This subsection
14 expires September 1, 2020.

15 (b) This section applies beginning with the 2014-2015
16 school year.

17 SECTION 69. (a) Section 61.0517(a), Education Code, is
18 amended to read as follows:

19 (a) In this section, "applied STEM course" means an applied
20 science, technology, engineering, or mathematics course offered as
21 part of a school district's career and technology education or
22 technology applications curriculum and approved, as provided by
23 Section 28.027, by the State Board of Education for purposes of
24 satisfying the mathematics and science curriculum requirements for
25 the foundation ~~[recommended]~~ high school program ~~[imposed]~~ under
26 Section 28.025 ~~[28.025(b-1)(1)(A)]~~.

27 (b) This section applies beginning with the 2014-2015

1 school year.

2 SECTION 70. (a) Section 61.792(b), Education Code, is
3 amended to read as follows:

4 (b) To qualify for a scholarship under this section, a
5 student must:

6 (1) have graduated with a grade point average in the
7 top 20 percent of the student's high school graduating class;

8 (2) have graduated from high school with a grade point
9 average of at least 3.5 on a four-point scale or the equivalent in
10 mathematics and science courses offered under the foundation
11 ~~[recommended or advanced]~~ high school program under Section 28.025
12 ~~[28.025(a)]~~; and

13 (3) maintain an overall grade point average of at
14 least 3.0 on a four-point scale at the general academic teaching
15 institution or the private or independent institution of higher
16 education in which the student is enrolled.

17 (b) This section applies beginning with the 2014-2015
18 school year.

19 SECTION 71. (a) Section 61.852(a), Education Code, is
20 amended to read as follows:

21 (a) A tech-prep program is a program of study that:

22 (1) combines at least two years of secondary education
23 with at least two years of postsecondary education in a
24 nonduplicative, sequential course of study based on the foundation
25 ~~[recommended]~~ high school program adopted by the State Board of
26 Education under Section 28.025 ~~[28.025(a)]~~;

27 (2) integrates academic instruction and vocational

1 and technical instruction;

2 (3) uses work-based and worksite learning where
3 available and appropriate;

4 (4) provides technical preparation in a career field
5 such as engineering technology, applied science, a mechanical,
6 industrial, or practical art or trade, agriculture, health
7 occupations, business, or applied economics;

8 (5) builds student competence in mathematics,
9 science, reading, writing, communications, economics, and
10 workplace skills through applied, contextual academics and
11 integrated instruction in a coherent sequence of courses;

12 (6) leads to an associate degree, two-year
13 postsecondary certificate, or postsecondary two-year
14 apprenticeship with provisions, to the extent applicable, for
15 students to continue toward completion of a baccalaureate degree;
16 and

17 (7) leads to placement in appropriate employment or to
18 further education.

19 (b) This section applies beginning with the 2014-2015
20 school year.

21 SECTION 72. (a) Section 61.855(d), Education Code, is
22 amended to read as follows:

23 (d) A tech-prep program must:

24 (1) be implemented under an articulation agreement
25 between the participants in the consortium;

26 (2) consist of two to four years of secondary school
27 preceding graduation and:

(A) two or more years of higher education; or

(B) two or more years of apprenticeship following secondary instruction;

(3) have a common core of required proficiency based on the foundation [~~recommended~~] high school program adopted by the State Board of Education under Section 28.025 [~~28.025(a)~~], with proficiencies in mathematics, science, reading, writing, communications, and technologies designed to lead to an associate's degree or postsecondary certificate in a specific career field;

(4) include the development of tech-prep program curricula for both secondary and postsecondary participants in the consortium that:

(A) meets academic standards developed by the state;

(B) links secondary schools and two-year postsecondary institutions, and, if practicable, four-year institutions of higher education through nonduplicative sequences of courses in career fields, including the investigation of opportunities for tech-prep students to enroll concurrently in secondary and postsecondary course work;

(C) uses, if appropriate and available, work-based or worksite learning in conjunction with business and all aspects of an industry; and

(D) uses educational technology and distance learning, as appropriate, to involve each consortium participant more fully in the development and operation of programs;

(5) include in-service training for teachers that:

1 (A) is designed to train vocational and technical
2 teachers to effectively implement tech-prep programs;

3 (B) provides for joint training for teachers in
4 the tech-prep consortium;

5 (C) is designed to ensure that teachers and
6 administrators stay current with the needs, expectations, and
7 methods of business and of all aspects of an industry;

8 (D) focuses on training postsecondary education
9 faculty in the use of contextual and applied curricula and
10 instruction; and

11 (E) provides training in the use and application
12 of technology;

13 (6) include training programs for counselors designed
14 to enable counselors to more effectively:

15 (A) provide information to students regarding
16 tech-prep programs;

17 (B) support student progress in completing
18 tech-prep programs;

19 (C) provide information on related employment
20 opportunities;

21 (D) ensure that tech-prep students are placed in
22 appropriate employment; and

23 (E) stay current with the needs, expectations,
24 and methods of business and of all aspects of an industry;

25 (7) provide equal access to the full range of
26 tech-prep programs for individuals who are members of special
27 populations, including by the development of tech-prep program

1 services appropriate to the needs of special populations; and

2 (8) provide for preparatory services that assist
3 participants in tech-prep programs.

4 (b) This section applies beginning with the 2014-2015
5 school year.

6 SECTION 73. (a) Section 61.861(c), Education Code, is
7 amended to read as follows:

8 (c) A course developed for purposes of this section must:

9 (1) provide content that enables a student to develop
10 the relevant and critical skills needed to be prepared for
11 employment or additional training in a high-demand occupation;

12 (2) incorporate college and career readiness skills as
13 part of the curriculum;

14 (3) be offered for dual credit; and

15 (4) satisfy a mathematics or science requirement under
16 the foundation [~~recommended or advanced~~] high school program as
17 determined under Section 28.025.

18 (b) This section applies beginning with the 2014-2015
19 school year.

20 SECTION 74. (a) Section 61.864, Education Code, is amended
21 to read as follows:

22 Sec. 61.864. REVIEW OF COURSES. Courses for which a grant
23 is awarded under this subchapter shall be reviewed by the
24 commissioner of higher education and the commissioner of education,
25 in consultation with the comptroller and the Texas Workforce
26 Commission, once every four years to determine whether the course:

27 (1) is being used by public educational institutions

1 in this state;

2 (2) prepares high school students with the skills
3 necessary for employment in the high-demand occupation and further
4 postsecondary study; and

5 (3) satisfies a mathematics or science requirement for
6 the foundation [~~recommended or advanced~~] high school program as
7 determined under Section 28.025.

8 (b) This section applies beginning with the 2014-2015
9 school year.

10 SECTION 75. (a) Section 78.10(b), Education Code, is
11 amended to read as follows:

12 (b) The Texas Academy of Mathematics and Science is a
13 division of The University of Texas at Brownsville and is under the
14 management and control of the board. The academy serves the
15 following purposes:

16 (1) to provide academically gifted and highly
17 motivated junior and senior high school students with a challenging
18 university-level curriculum that:

19 (A) allows students to complete high school
20 graduation requirements[~~, including requirements adopted under~~
21 ~~Section 28.025~~] for the foundation [~~advanced~~] high school program
22 and the distinguished level of achievement under the foundation
23 high school program and earn appropriate endorsements as provided
24 by Section 28.025, while attending for academic credit a public
25 institution of higher education;

26 (B) fosters students' knowledge of real-world
27 mathematics and science issues and applications and teaches

1 students to apply critical and computational thinking and
2 problem-solving skills to those issues and problems;

3 (C) includes the study of English, foreign
4 languages, social studies, mathematics, science, and technology;
5 and

6 (D) offers students learning opportunities
7 related to mathematics and science through in-depth research and
8 field-based studies;

9 (2) to provide students with an awareness of
10 mathematics and science careers and professional development
11 opportunities through seminars, workshops, collaboration with
12 postsecondary and university students including opportunities for
13 summer studies, internships in foreign countries, and similar
14 methods; and

15 (3) to provide students with social development
16 activities that enrich the academic curriculum and student life,
17 including, as determined appropriate by the academy, University
18 Interscholastic League activities and other extracurricular
19 activities.

20 (b) This section applies beginning with the 2014-2015
21 school year.

22 SECTION 76. (a) Section 87.505(b), Education Code, is
23 amended to read as follows:

24 (b) The Texas Academy of International Studies is a division
25 of Texas A&M International University and is under the management
26 and control of the board. The academy serves the following
27 purposes:

1 (1) to provide academically gifted and highly
2 motivated junior and senior high school students with a challenging
3 university-level curriculum that:

4 (A) allows students to complete high school
5 graduation requirements[~~, including requirements adopted under~~
6 ~~Section 28.025~~] for the foundation [~~advanced~~] high school program
7 and the distinguished level of achievement under the foundation
8 high school program and earn appropriate endorsements as provided
9 by Section 28.025, while attending for academic credit a public
10 institution of higher education;

11 (B) fosters students' knowledge of real-world
12 international issues and problems and teaches students to apply
13 critical thinking and problem-solving skills to those issues and
14 problems;

15 (C) includes the study of English, foreign
16 languages, social studies, anthropology, and sociology;

17 (D) is presented through an interdisciplinary
18 approach that introduces and develops issues, especially issues
19 related to international concerns, throughout the curriculum; and

20 (E) offers students learning opportunities
21 related to international issues through in-depth research and
22 field-based studies;

23 (2) to provide students with an awareness of
24 international career and professional development opportunities
25 through seminars, workshops, collaboration with postsecondary
26 students from other countries, summer academic international
27 studies internships in foreign countries, and similar methods; and

(3) to provide students with social development activities that enrich the academic curriculum and student life, including, as determined appropriate by the academy, University Interscholastic League activities and other extracurricular activities generally offered by public high schools.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 77. (a) Section 130.008, Education Code, is amended by amending Subsection (d) and adding Subsection (f) to read as follows:

(d) A ~~[Except as provided by Subsection (d-1), a]~~ public junior college may enter into an agreement with a school district, organization, or other person that operates a high school to offer a course as provided by this section regardless of whether the high school is located within the service area of the junior college district.

(f) A student described by Subsection (a) may enroll in not more than three courses each school year offered as provided by this section.

(b) This section applies beginning with the 2013-2014 school year.

SECTION 78. (a) Effective September 1, 2013, the following sections of the Education Code are repealed:

- (1) Sections 29.190(b), (d), and (e);
- (2) Sections 39.024(b), (c), (d), (e), (f), (g), ^{and} (h);
- ~~and (i);~~
- (3) Section 39.0241(a-2);

1 (4) Section 39.0242;

2 (5) Sections 39.025(a-2) and (a-3); and

3 (6) Section 130.008(d-1).

4 (b) Effective September 1, 2014, the following provisions
5 of the Education Code are repealed:

6 (1) Section 28.002(q);

7 (2) Sections 28.0212(e) and (g);

8 (3) Sections 28.025(b-6), (b-8), and (g);

9 (4) Section 39.0822; and

10 (5) Sections 39.0823(b) and (c).

11 SECTION 79. (a) Except as provided by Subsection (b) of
12 this section, Section 39.025, Education Code, as amended by
13 Sections 35 and 36 of this Act, as related to reducing end-of-course
14 testing requirements, applies only to students who have entered or
15 will enter the ninth grade during the 2011-2012 school year or a
16 later school year.

17 (b) Students who have entered the ninth grade during or
18 after the 2011-2012 school year and before the 2013-2014 school
19 year may be administered only those end-of-course assessment
20 instruments that would have been administered to those students
21 under Section 39.025, Education Code, as amended by Section 35 of
22 this Act, and Section 39.025, Education Code, as amended by Section
23 35 of this Act, is continued in effect for purposes of satisfying
24 those end-of-course testing requirements.

25 (c) The commissioner of education may by rule adopt a
26 transition plan to implement the amendments made by this Act
27 relating to end-of-course testing requirements during the

1 2013-2014 and 2014-2015 school years.

2 SECTION 80. Not later than October 1, 2013, the
3 commissioner of education shall adopt rules to administer Section
4 39.025(a-1), Education Code, as amended by this Act.

5 SECTION 81. Section 39.027(a-2), Education Code, as added
6 by this Act, applies to a student regardless of the date on which
7 the student initially enrolled in a school in the United States.

8 SECTION 82. If, on September 1, 2013, a person is serving on
9 a committee or panel that advises the commissioner of education or
10 the Texas Education Agency who would not be eligible for
11 appointment under Section 39.038, Education Code, as added by this
12 Act, the person's position on the committee or panel becomes vacant
13 and shall be filled in accordance with applicable law.

14 SECTION 83. (a) The Texas Education Agency, in
15 collaboration with the Texas Higher Education Coordinating Board
16 and the Texas Workforce Commission, shall, through an external
17 evaluator at a center for education research authorized by Section
18 1.005, Education Code, evaluate the implementation of the changes
19 made by this Act to the curriculum requirements for high school
20 graduation. The evaluation must include an estimation of this
21 Act's effect on high school graduation rates, college readiness,
22 college admissions, college completion, obtainment of workforce
23 certificates, employment rates, and earnings.

24 (b) The commissioner of education shall submit an initial
25 report regarding the review to the governor, lieutenant governor,
26 and members of the legislature not later than December 1, 2015. The
27 commissioner of education shall submit a final report regarding

1 the review to the governor, lieutenant governor, and members of the
2 legislature not later than December 1, 2017.

3 SECTION 84. Except as otherwise provided by this Act:

4 (1) this Act takes effect immediately if it receives a
5 vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution; and

7 (2) if this Act does not receive the vote necessary for
8 immediate effect, this Act takes effect September 1, 2013.

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HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
SECTION 1. (a) Section 7.010(c), Education Code, is amended.	SECTION __. Same as House version. [FA13(1)]	SECTION 1. Same as House version.
SECTION 2. (a) Section 7.062(e), Education Code, is amended to read as follows: (e) The rules must: (1) limit the amount of assistance provided through a grant to not more than: (A) for a construction project, \$200 per square foot of the science laboratory to be constructed; or (B) for a renovation project, \$100 per square foot of the science laboratory to be renovated; (2) require a school district to demonstrate, as a condition of eligibility for a grant, that the existing district science laboratories are insufficient in number to comply with the curriculum requirements imposed for the <u>distinguished level of achievement under the foundation</u> [recommended and advanced] high school program [programs] under Section 28.025 [28.025(b-1)(1)]; and (3) provide for ranking school districts that apply for grants on the basis of wealth per student and giving priority in the award of grants to districts with low wealth per student. (b) This section applies beginning with the 2014-2015 school year.	SECTION 1. (a) Section 7.062(e), Education Code, is amended to read as follows: (e) The rules must: (1) limit the amount of assistance provided through a grant to not more than: (A) for a construction project, \$200 per square foot of the science laboratory to be constructed; or (B) for a renovation project, \$100 per square foot of the science laboratory to be renovated; (2) require a school district to demonstrate, as a condition of eligibility for a grant, that the existing district science laboratories are insufficient in number to comply with the curriculum requirements imposed for <u>an endorsement</u> [the recommended and advanced high school programs] under Section 28.025(c-1) [28.025(b-1)(1)]; and (3) provide for ranking school districts that apply for grants on the basis of wealth per student and giving priority in the award of grants to districts with low wealth per student. (b) This section applies beginning with the 2014-2015 school year.	SECTION 2. Same as House version.
SECTION 3. Subchapter C, Chapter 7, Education Code, is amended by adding Section 7.064, CAREER AND TECHNOLOGY CONSORTIUM.	SECTION 2. Same as House version.	SECTION 3. Same as House version.
SECTION 4. (a) Section 12.111(b), Education Code, is amended.	SECTION __. Same as House version. [FA13(2)]	SECTION 4. Same as House version.

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HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
SECTION 5. (a) Section 25.083, Education Code, is amended. (b) This section applies beginning with the 2013-2014 school year.	SECTION 3. Same as House version.	SECTION 5. Same as House version.
SECTION 6. (a) The heading to Section 25.092, Education Code, is amended. (b) This section applies beginning with the 2013-2014 school year.	SECTION 4. Same as House version.	SECTION 6. Same as House version.
SECTION 7. (a) Sections 25.092(a), (a-1), (b), and (d), Education Code, are amended. (b) This section applies beginning with the 2013-2014 school year.	SECTION 5. Same as House version.	SECTION 7. Same as House version.
No equivalent provision.	SECTION __. (a) Subchapter Z, Chapter 25, Education Code, is amended by adding Section 25.902, CERTAIN MANDATORY STUDENT IDENTIFICATION METHODS PROHIBITED. (b) This section applies beginning with the 2013-2014 school year. [FA15]	Same as House version.
SECTION 8. (a) Section 28.002, Education Code, is amended by amending Subsections (c) and (f) and adding Subsection (f-1) to read as follows: No equivalent provision.	SECTION 6. (a) Section 28.002, Education Code, is amended by amending Subsections (a), (c), and (f) and adding Subsection (o) to read as follows: [FA1(1); FA3(1)] (a) Each school district that offers kindergarten through grade 12 shall offer, as a required curriculum: (1) a foundation curriculum that includes: (A) English language arts; (B) mathematics; (C) science; and (D) social studies, consisting of Texas, United States, and	SECTION 8. Same as House version except as follows: Same as House version.

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world history, government, ~~[economics, with emphasis on the free enterprise system and its benefits, and]~~ geography, and personal financial literacy; and
(2) an enrichment curriculum that includes:
(A) to the extent possible, languages other than English;
(B) health, with emphasis on the importance of proper nutrition and exercise;
(C) physical education;
(D) fine arts;
(E) career and technology education;
(F) technology applications; and
(G) religious literature, including the Hebrew Scriptures (Old Testament) and New Testament, and its impact on history and literature. [FA1(1)]

(c) The State Board of Education, with the direct participation of educators, parents, business and industry representatives, and employers shall by rule identify the essential knowledge and skills of each subject of the required curriculum that all students should be able to demonstrate and that will be used in evaluating instructional materials under Chapter 31 and addressed on the assessment instruments required under Subchapter B, Chapter 39. As a condition of accreditation, the board shall require each district to provide instruction in the essential knowledge and skills at appropriate grade levels and to make available to each high school student in the district an Algebra II course.

(c) Same as House version.

(c) Same as House version.

(f) A school district may offer courses for local credit in addition to those in the required curriculum. The State Board of Education shall be flexible in approving a course for credit for high school graduation under this subsection. A district

(f) A school district may offer courses for local credit in addition to those in the required curriculum. The State Board of Education shall be flexible in approving a course for credit for high school graduation under this subsection. A district

(g-1) Same as House version except omits specification that, with regard to a course or activity that can be offered for local credit, the credit be *local* credit.

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may also offer a course *or other activity, including an apprenticeship or training hours needed to obtain an industry-recognized credential or certificate, that is approved by the board of trustees* for local credit without obtaining State Board of Education approval if:

(1) the district develops a program under which the district partners with a public or private institution of higher education and local business, labor, and community leaders to develop and provide the courses; and

(2) the course *or other activity allows* students to enter:

(A) a career or technology training program in the district's region of the state;

(B) an institution of higher education without remediation;

(C) an apprenticeship training program; or

(D) an internship required as part of accreditation toward an industry-recognized credential or certificate for course credit.

(f-1) Each school district shall annually report to the agency the names of the courses, programs, institutions of higher education, and internships in which the district's students have enrolled under Subsection (f). The agency shall make available information provided under this subsection to other districts.

No equivalent provision.

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may also offer courses for local credit without obtaining State Board of Education approval if:

(1) the district develops a program under which the district partners with a public or private institution of higher education and local business and community leaders to develop and provide the courses;

(2) the courses *prepare* students to enter:

(A) a career or technology training program in the district's region of the state; or

(B) an institution of higher education without remediation; and

(3) the board of trustees of the district approves the courses.

No equivalent provision.

(f-1) The commissioner may approve for credit for high school graduation a discipline-based course in the foundation or enrichment curriculum submitted for approval by a school district or open-enrollment charter school if the district or school demonstrates to the satisfaction of the commissioner that the proposed course is academically challenging and addresses documented student needs. [FA12]

CONFERENCE

(g-2) Same as House version.

Same as House version.

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No equivalent provision.

No equivalent provision.

(b) This section applies beginning with the 2014-2015 school year.

No equivalent provision.

SECTION 9. (a) Subchapter A, Chapter 28, Education Code, is amended by adding Section 28.00222 to read as follows:
Sec. 28.00222. INCREASE IN CAREER AND TECHNOLOGY EDUCATION COURSES. (a) Not later than September 1, 2014, the State Board of Education shall ensure that at least six advanced career and technology education

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(o) In approving career and technology courses, the State Board of Education must determine that a minimum of 50 percent of the approved courses are cost-effective for a school district to implement.

(t) [Deleted by FA3(2)]

(b) Same as House version.

SECTION __. (a) Section 28.0021(b), Education Code, is amended.
(b) This section applies beginning with the 2014-2015 school year. [FA1(2)]

SECTION 7. Subchapter A, Chapter 28, Education Code, is amended by adding Section 28.00222 to read as follows:
Sec. 28.00222. INCREASE IN ADVANCED TECHNOLOGY AND CAREER-RELATED COURSES. (a) Not later than September 1, 2014, the State Board of Education shall ensure that at least six advanced career and

CONFERENCE

(o) Substantially the same as Senate version.

~~(t) The State Board of Education by rule shall require a course of instruction in career explorations for each student during seventh or eighth grade. The course must include detailed explanations and discussions of:
(1) the foundation high school program and endorsements under Section 28.025; and
(2) courses necessary or useful in pursuing higher education or a career.~~

~~[The conference committee may have exceeded the limitations imposed on its jurisdiction, but only the presiding officer can make the final determination on this issue.]~~

(b) Same as House version.

Same as House version.

SECTION 9. Same as Senate version.

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courses are approved to satisfy a fourth credit in mathematics.

(b) Not later than January 1, 2015, the commissioner shall review and report to the governor, the lieutenant governor, the speaker of the house of representatives, and the presiding officer of each standing committee of the legislature with primary responsibility over public primary and secondary education regarding the progress of increasing the number of courses approved for the career and technology education curriculum. The commissioner shall include in the report a detailed description of any new courses, including instructional materials and required equipment, if any.

(c) This section expires September 1, 2015.

(b) This section applies beginning with the 2013-2014 school year.

SECTION 10. (a) Section 28.006(j), Education Code, is amended.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 11. (a) Section 28.014, Education Code, is amended to read as follows:

Sec. 28.014. COLLEGE PREPARATORY COURSES. (a) Each school district shall partner with at least one institution of higher education to develop and provide [The

SENATE VERSION (IE)

technology education *or technology applications courses, including courses in personal financial literacy consistent with Section 28.0021 and in statistics,* are approved to satisfy a fourth credit in mathematics. [FA14(1)-(2)]

(b) Not later than January 1, 2015, the commissioner shall review and report to the governor, the lieutenant governor, the speaker of the house of representatives, and the presiding officer of each standing committee of the legislature with primary responsibility over public primary and secondary education regarding the progress of increasing the number of courses approved for the career and technology education *or technology applications* curriculum. The commissioner shall include in the report a detailed description of any new courses, including instructional materials and required equipment, if any. [FA14(3)]

(c) This section expires September 1, 2015.

No equivalent provision.

No equivalent provision.

SECTION 8. (a) Sections 28.014(b), (c), and (f), Education Code, are amended to read as follows:

No equivalent provision.

CONFERENCE

Same as Senate version.

Same as Senate version.

SECTION 10. Same as House version except as follows:

(a) Same as House version except omits reference to *an end-of-course assessment instrument adopted under Section 39.023(c-2)*.

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~~commissioner of education and the commissioner of higher education shall develop and recommend to the State Board of Education for adoption under Section 28.002 the essential knowledge and skills of~~ courses in college preparatory mathematics~~[], science, social studies,]~~ and English language arts. The courses must be designed:

- (1) for students at the 12th grade level whose performance on:
(A) [who do not meet college readiness standards on] an end-of-course assessment instrument required under Section 39.023(c) or an end-of-course assessment instrument adopted under Section 39.023(c-2) does not meet college readiness standards; or
(B) coursework, a college entrance examination, or an assessment instrument designated under Section 51.3062(c) indicates that the student is not ready to perform entry-level college coursework; and
(2) to prepare students for success in entry-level college courses.

(b) A course developed under this section must be provided:
(1) on the campus of the high school offering the course; or
(2) through distance learning or as an online course provided through an institution of higher education with which the school district partners as provided by Subsection (a).

(c) Appropriate faculty of each high school offering courses under this section and appropriate faculty of each institution of higher education with which the school district partners shall meet regularly as necessary to ensure that each course is aligned with college readiness expectations. The commissioner of education, in coordination with the commissioner of higher education, may adopt rules to

No equivalent provision.

(b) Same as House version.

No equivalent provision.

(c) Same as House version.

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administer this subsection.

(d) Each school district shall provide a notice to each district student to whom Subsection (a) applies and the student's parent or guardian regarding the benefits of enrolling in a course under this section.

(e) A student who successfully completes an English language arts [a] course developed under this section may use the credit earned in the course toward satisfying the advanced English language arts [applicable mathematics or science] curriculum requirement for the foundation [recommended or advanced] high school program under Section 28.025(b-1)(1) [28.025]. A student who successfully completes a mathematics course developed under this section may use the credit earned in the course toward satisfying an advanced mathematics curriculum requirement under Section 28.025 after completion of the mathematics curriculum requirements for the foundation high school program under Section 28.025(b-1)(2).

(f) A course provided under this section may be offered for dual credit at the discretion of the institution of higher education with which a school district partners under this section.

(g) Each school district, in consultation with each institution of higher education with which the district partners, shall develop or purchase [(e) The agency, in consultation with the Texas Higher Education Coordinating Board, shall adopt an end of course assessment instrument for each course developed under this section to ensure the rigor of the course.

No equivalent provision.

(See amended Subsec. (b) below.)

(b) A student who successfully completes a course developed under this section may use the credit earned in the course toward satisfying the *applicable mathematics or science* curriculum requirement for the foundation [recommended or advanced] high school program under Section 28.025.

No equivalent provision.

~~[(e) The agency, in consultation with the Texas Higher Education Coordinating Board, shall adopt an end of course assessment instrument for each course developed under this section to ensure the rigor of the course. A school district~~

(d) Same as House version.

(e) Same as House version.

(f) Same as House version.

(g) Same as House version.

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~~A school district shall, in accordance with State Board of Education rules, administer the end of course assessment instrument to a student enrolled in a course developed under this section. Each school district shall adopt a policy that requires a student's performance on the end of course assessment instrument to account for 15 percent of the student's final grade for the course. A student's performance on an end of course assessment instrument administered under this subsection may be used, on a scale of 0-40, in calculating whether the student satisfies the graduation requirements established under Section 39.025.~~

~~[(d) The agency, in coordination with the Texas Higher Education Coordinating Board, shall adopt a series of questions to be included in an end of course assessment instrument administered under Subsection (e) to be used for purposes of Section 51.3062. The questions must be developed in a manner consistent with any college readiness standards adopted under Sections 39.233 and 51.3062.~~

~~[(e) The State Board of Education shall adopt] *instructional materials for a course developed under this section consistent [in accordance] with Chapter 31. The instructional materials must include technology resources that enhance the effectiveness of the course and draw on established best practices.*~~

~~(h) [(f)] To the extent applicable, a district [~~the commissioner~~] shall draw from curricula and instructional materials developed under Section [~~Sections~~] 28.008 [~~and 61.0763~~] in developing a course and related instructional materials under this section. A [~~Not later than September 1, 2010, the State Board of Education shall adopt essential knowledge and skills for each course developed under this~~~~

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~~shall, in accordance with State Board of Education rules, administer the end of course assessment instrument to a student enrolled in a course developed under this section. Each school district shall adopt a policy that requires a student's performance on the end of course assessment instrument to account for 15 percent of the student's final grade for the course. A student's performance on an end of course assessment instrument administered under this subsection may be used, on a scale of 0-40, in calculating whether the student satisfies the graduation requirements established under Section 39.025.~~

~~(f) To the extent applicable, *the commissioner* shall draw from curricula and instructional materials developed under Section [~~Sections~~] 28.008 [~~and 61.0763~~] in developing a course and related instructional materials under this section. *Not later than September 1, 2010, the State Board of Education shall adopt essential knowledge and skills for each course developed under this section. The State Board of*~~

CONFERENCE

~~(h) Same as House version.~~

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~~section. The State Board of Education shall make each~~ course developed under this section and the related instructional materials shall be made available to students ~~[school districts]~~ not later than the 2014-2015 school year.

~~[As required by Subsection (c), a school district shall adopt a policy requiring a student's performance on an end-of-course assessment instrument administered under that subsection to account for 15 percent of the student's grade for a course developed under this section not later than the 2014-2015 school year.] This subsection expires September 1, 2015.~~

(b) This section applies beginning with the 2013-2014 school year.

No equivalent provision.

SENATE VERSION (IE)

Education shall make each course developed under this section and the related instructional materials available to *school districts* not later than the 2014-2015 school year.

~~[As required by Subsection (c), a school district shall adopt a policy requiring a student's performance on an end-of-course assessment instrument administered under that subsection to account for 15 percent of the student's grade for a course developed under this section not later than the 2014-2015 school year.] This subsection expires September 1, 2015.~~

(b) Same as House version. [FA2(1)]

SECTION 9. Section 28.0211, Education Code, is amended by amending Subsection (m) and adding Subsections (m-1) and (m-2) to read as follows: [FA16(1)]

(m) The commissioner shall certify, not later than July 1 of each school year or as soon as practicable thereafter, whether sufficient funds have been appropriated statewide for the purposes of this section and Section 28.0217. A determination by the commissioner is final and may not be appealed. For purposes of certification, the commissioner shall consider:

(1) the average cost per student per assessment instrument administration;

(2) the number of students that require accelerated instruction because the student failed to perform satisfactorily on an assessment instrument;

(3) whether sufficient funds have been appropriated to provide support to students in grades three through 12 identified as being at risk of dropping out of school, as defined in Section 29.081(d); and

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(b) Same as House version.

SECTION 11. Same as Senate version except for recitation and as follows:

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(4) whether sufficient funds have been appropriated to provide instructional materials that are aligned with the assessment instruments under Sections 39.023(a) and (c).

(m-1) For purposes of certification under Subsection (m), the commissioner may not consider Foundation School Program funds. This section may be implemented only if the commissioner certifies that sufficient funds have been appropriated during a school year for administering the accelerated instruction programs specified under this section and Section 28.0217, including teacher training for that purpose.

(m-2) For each school year for which the commissioner does not certify that sufficient funds have been appropriated statewide for purposes of this section and Section 28.0217, the commissioner shall suspend the assignment of performance ratings for campuses under Section 39.054. [FA16(2)]

(m-1) For purposes of certification under Subsection (m), the commissioner may not consider Foundation School Program funds ***except for compensatory education funds under Section 42.152.*** This section may be implemented only if the commissioner certifies that sufficient funds have been appropriated during a school year for administering the accelerated instruction programs specified under this section and Section 28.0217, including teacher training for that purpose.

Same as House version.

No equivalent provision.

SECTION 12. (a) The heading to Section 28.0212, Education Code, is amended.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 13. (a) Sections 28.0212(a) and (b), Education Code, are amended to read as follows:

(a) A principal of a junior high or middle school shall designate a ***guidance counselor***, teacher, or other appropriate individual to develop and administer a personal graduation plan for each student enrolled in the [a] junior high or [r] middle[, or high] school who:

(1) does not perform satisfactorily on an assessment instrument administered under Subchapter B, Chapter 39; or

SECTION __. Same as House version. [FA13(3)]

SECTION 10. Same as House version. [FA13(4)]

SECTION 12. Same as House version.

SECTION 13. Same as House version except refers to a ***school counselor***.

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(2) is not likely to receive a high school diploma before the fifth school year following the student's enrollment in grade level nine, as determined by the district.

(b) A personal graduation plan under this section must:

(1) identify educational goals for the student;

(2) include diagnostic information, appropriate monitoring and intervention, and other evaluation strategies;

(3) include an intensive instruction program described by Section 28.0213;

(4) address participation of the student's parent or guardian, including consideration of the parent's or guardian's educational expectations for the student; and

(5) provide innovative methods to promote the student's advancement, including flexible scheduling, alternative learning environments, on-line instruction, and other interventions that are proven to accelerate the learning process and have been scientifically validated to improve learning and cognitive ability.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 14. (a) Subchapter B, Chapter 28, Education Code, is amended by adding Section 28.02121 to read as follows:

Sec. 28.02121. HIGH SCHOOL PERSONAL GRADUATION PLAN. (a) The agency, in consultation with the Texas Workforce Commission and the Texas Higher Education Coordinating Board, shall prepare and make available to each school district in English and Spanish information that explains the advantages of the *distinguished level of achievement described by Section 28.025(b-14)* and each endorsement described by Section 28.025(c-1). *The*

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SECTION __. (a) Subchapter B, Chapter 28, Education Code, is amended by adding Section 28.02121 to read as follows:

Sec. 28.02121. HIGH SCHOOL PERSONAL GRADUATION PLAN. (a) The agency, in consultation with the Texas Workforce Commission and the Texas Higher Education Coordinating Board, shall prepare and make available to each school district in English and Spanish information that explains the advantages of each endorsement described by Section 28.025(c-1).

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SECTION 14. Same as House version except as follows:

(a) Same as House version.

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information must contain an explanation:

(1) concerning the benefits of choosing a high school personal graduation plan that includes the distinguished level of achievement under the foundation high school program and includes one or more endorsements to enable the student to achieve a class rank in the top 10 percent for students at the campus; and

(2) that encourages parents, to the greatest extent practicable, to have the student choose a high school personal graduation plan described by Subdivision (1).

(b) A school district shall publish the information provided to the district under Subsection (a) on the Internet website of the district and ensure that the information is available to students in grades nine and above and the parents or legal guardians of those students.

(c) A principal of a high school shall designate a **guidance counselor** or school administrator to review personal graduation plan options with each student entering grade nine together with that student's parent or guardian. The personal graduation plan options reviewed must include **the distinguished level of achievement described by Section 28.025(b-14)** and the endorsements described by Section 28.025(c-1). Before the conclusion of the school year, the student and the student's parent or guardian must confirm and sign a personal graduation plan for the student.

(b) Same as House version.

(c) Same as House version except omits reference to *the distinguished level of achievement*.

(b) A school district shall publish the information provided to the district under Subsection (a) on the Internet website of the district and ensure that the information is available to students in grades nine and above and the parents or legal guardians of those students **in the language in which the parents or legal guardians are most proficient. A district is required to provide information under this subsection in the language in which the parents or legal guardians are most proficient only if at least 20 students in a grade level primarily speak that language.**

(c) Same as House version except refers to a *school counselor*.

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(d) A personal graduation plan under Subsection (c) must identify a course of study that:

(1) promotes:

(A) college and workforce readiness; and

(B) career placement and advancement; and

(2) facilitates the student's transition from secondary to postsecondary education.

(e) A school district may not prevent a student and the student's parent or guardian from confirming a personal graduation plan that includes pursuit *of a distinguished level of achievement or* an endorsement.

(f) A student may amend the student's personal graduation plan after the initial confirmation of the plan under this section. *If a student amends the student's personal graduation plan, the school shall send written notice to the student's parents regarding the change.*

No equivalent provision.

SENATE VERSION (IE)

(d) Same as House version.

(e) A school district may not prevent a student and the student's parent or guardian from confirming a personal graduation plan that includes pursuit of an endorsement.

(f) A student may amend the student's personal graduation plan after the initial confirmation of the plan under this section.

SECTION 11. Subchapter B, Chapter 28, Education Code, is amended by adding Section 28.0217 to read as follows:
Sec. 28.0217. ACCELERATED INSTRUCTION FOR HIGH SCHOOL STUDENTS. Each time a student fails to perform satisfactorily on an assessment instrument administered under Section 39.023(c), the school district in which the student attends school shall provide to the student accelerated instruction in the applicable subject area, using funds appropriated for accelerated instruction under Section 28.0211. Accelerated instruction may require participation of the student before or after normal school hours and may include participation at times of the year outside normal school operations.

CONFERENCE

(d) Same as House version.

(e) Same as House version.

(f) Same as House version.

SECTION 15. Same as Senate version.

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(b) This section applies beginning with the 2014-2015 school year.

SECTION 15. (a) Section 28.025, Education Code, is amended by amending Subsections (a), (b), (b-1), (b-2), (b-3), (b-4), (b-5), (b-7), (b-9), (b-10), (b-11), and (e) and adding Subsections (b-12), (b-13), (b-14), (b-15), (b-16), (b-17), (b-18), (c-1), (c-2), (c-3), (e-1), (e-2), (e-3), (h), and (h-1) to read as follows:

(a) The State Board of Education by rule shall determine curriculum requirements for the foundation ~~[minimum, recommended, and advanced]~~ high school program ~~[programs]~~ that are consistent with the required curriculum under Section 28.002. ~~The [Subject to Subsection (b-1), the]~~ State Board of Education shall designate the specific courses in the foundation curriculum under Section 28.002(a)(1) required under ~~[for a student participating in]~~ the foundation ~~[minimum, recommended, or advanced]~~ high school program. Except as provided by this section ~~[Subsection (b-1)]~~, the State Board of Education may not designate a specific course or a specific number of credits in the enrichment curriculum as requirements for the ~~[recommended]~~ program.

(b) A school district shall ensure that each student *enrolls in the courses necessary to complete the curriculum requirements identified by the State Board of Education under Subsection (a) for the foundation ~~[recommended or advanced]~~ high school program and the courses necessary to complete the curriculum requirements established under Subsection (b-14) for the distinguished level of achievement*

SENATE VERSION (IE)

(b) Same as House version. [FA13(5)]

SECTION 12. (a) Section 28.025, Education Code, is amended by amending Subsections (a), (b), (b-1), (b-2), (b-4), (b-5), (b-7), (b-9), (b-10), (b-11), and (e) and adding Subsections (b-12), (b-13), (c-1), (c-2), (c-3), (c-4), (h), and (h-1) to read as follows: [FA4(1)]

(a) The State Board of Education by rule shall determine curriculum requirements for the foundation ~~[minimum, recommended, and advanced]~~ high school program ~~[programs]~~ that are consistent with the required curriculum under Section 28.002. ~~The [Subject to Subsection (b-1), the]~~ State Board of Education shall designate the specific courses in the foundation curriculum under Section 28.002(a)(1) required under ~~[for a student participating in]~~ the foundation ~~[minimum, recommended, or advanced]~~ high school program. Except as *otherwise* provided by this section ~~[Subsection (b-1)]~~, the State Board of Education may not designate a specific course or a specific number of credits in the enrichment curriculum as requirements for the foundation high school ~~[recommended]~~ program.

(b) A school district shall ensure that each student, on entering ninth grade, indicates in writing an endorsement under Subsection (c-1) that the student intends to earn. A district shall permit a student to choose, at any time, to earn an endorsement other than the endorsement the student previously indicated. A student may graduate under the foundation high school program without earning an

CONFERENCE

(b) Same as House version.

SECTION 16. Same as House version except as follows:

(a) Same as House version.

(b) Same as Senate version except ~~authorizes a district to permit a student to choose to earn an endorsement other than the endorsement the student previously indicated.~~

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under the foundation high school program, unless the student and the student's parent or legal guardian:

(1) are provided with the information required to be provided under Section 33.007(b) in a language in which the parent or legal guardian is proficient, or the information is conveyed to the parent or legal guardian by a translator provided by the school district who is proficient in the same language in which the parent or legal guardian is proficient, except that the district is required to provide the information according to this subdivision only if the district has enrolled in any one particular grade at least 20 students who primarily speak the language in which the information is to be provided; and

(2) agree in writing signed by the student and the student's parent or legal guardian that each party understands that the student should be permitted to successfully complete the foundation high school program without meeting the requirements of the distinguished level of achievement established under Subsection (b-14)

~~[unless the student, the student's parent or other person standing in parental relation to the student, and a school counselor or school administrator agree in writing signed by each party that the student should be permitted to take courses under the minimum high school program and the student:~~

~~[(1) is at least 16 years of age;~~

~~[(2) has completed two credits required for graduation in each subject of the foundation curriculum under Section 28.002(a)(1); or~~

~~[(3) has failed to be promoted to the tenth grade one or more times as determined by the school district].~~

SENATE VERSION (IE)

endorsement if, after the student's sophomore year: [FA17]

(1) the student and the student's parent or person standing in parental relation to the student are advised by a school counselor of the specific benefits of graduating from high school with one or more endorsements; and

(2) the student's parent or person standing in parental relation to the student files with a school counselor written permission, on a form adopted by the agency, allowing the student to graduate under the foundation high school program without earning an endorsement ~~[enrolls in the courses necessary to complete the curriculum requirements identified by the State Board of Education under Subsection (a) for the recommended or advanced high school program~~

~~unless the student, the student's parent or other person standing in parental relation to the student, and a school counselor or school administrator agree in writing signed by each party that the student should be permitted to take courses under the minimum high school program and the student:~~

~~[(1) is at least 16 years of age;~~

~~[(2) has completed two credits required for graduation in each subject of the foundation curriculum under Section 28.002(a)(1); or~~

~~[(3) has failed to be promoted to the tenth grade one or more times as determined by the school district].~~

CONFERENCE

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(b-1) The State Board of Education by rule shall require that ~~[(1) except as provided by Subsection (b-2),]~~ the curriculum requirements for the foundation [recommended and advanced] high school program [programs] under Subsection (a) include a requirement that students successfully complete:

(1) ~~[(A)]~~ four credits in English language arts [each subject of the foundation curriculum] under Section 28.002(a)(1)(A), including one credit in English I, one credit in English II, one credit in English III, and one credit in an advanced English course authorized under Subsection (b-2);

(2) three credits in mathematics under Section 28.002(a)(1)(B), including one credit in Algebra I, one credit in geometry, and one credit in any advanced mathematics course authorized under Subsection (b-2);

(3) three credits in science under Section 28.002(a)(1)(C), including one credit in biology, one credit in any advanced science course authorized under Subsection (b-2), and one credit in integrated physics and chemistry or in an additional advanced science course authorized under Subsection (b-2);

(4) three credits in social studies under Section 28.002(a)(1)(D) [28.002(a)(1)], including one credit in United States history, at least one-half credit in government and at least one-half credit in economics, and one credit in world geography or world history [to meet the social studies requirement];

(5) except as provided under Subsections (b-12) and (b-13) [(B) for the recommended high school program], two credits

SENATE VERSION (IE)

(b-1) The State Board of Education by rule shall require that ~~[(1) except as provided by Subsection (b-2),]~~ the curriculum requirements for the foundation [recommended and advanced] high school program [programs] under Subsection (a) include a requirement that students successfully complete:

(1) ~~[(A)]~~ four credits in English language arts [each subject of the foundation curriculum] under Section 28.002(a)(1)(A);

(2) three credits in mathematics under Section 28.002(a)(1)(B);

(3) three credits in science under Section 28.002(a)(1)(C), one of which may be satisfied by an academic elective credit in science in addition to elective credits under Subdivision (6);

(4) except as provided by Subsection (c-1)(1), three credits in social studies under Section 28.002(a)(1)(D) [28.002(a)(1)], including at least one credit in United States history, one-half credit in government, and ~~[at least]~~ one-half credit in personal financial literacy [economics to meet the social studies requirement]; [FA1(3)]

(5) except as provided by Subsection (b-12) or (b-13) [(B) for the recommended high school program], two credits in the

CONFERENCE

(b-1) Same as House version except requires completion of *five* elective credits.

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in the same language in a language other than English under Section 28.002(a)(2)(A) [~~and, for the advanced high school program, three credits in the same language in a language other than English under Section 28.002(a)(2)(A);~~ [and]

(6) ~~seven~~ [(C) for the recommended high school program, six] elective credits [~~and, for the advanced high school program, five elective credits~~];

(7) [(2) one or more credits offered in the required curriculum for the recommended and advanced high school programs include a research writing component; and
[(3) the curriculum requirements for the minimum, recommended, and advanced high school programs under Subsection (a) include a requirement that students successfully complete;

[(A)] one credit in fine arts under Section 28.002(a)(2)(D); and

(8) [(B)] except as provided by Subsection (b-11), one credit in physical education under Section 28.002(a)(2)(C).

(b-2) In adopting rules under Subsection (b-1), the State Board of Education shall provide for [~~allow~~] a student to comply with the curriculum requirements for an advanced English course under Subsection (b-1)(1) taken after successful completion of English I, English II, and English III, for an

SENATE VERSION (IE)

same language in a language other than English under Section 28.002(a)(2)(A) [~~and, for the advanced high school program, three credits in the same language in a language other than English under Section 28.002(a)(2)(A);~~ [and] [FA4(2); FA27(1)]

(6) ~~8-1/2~~ [(C) for the recommended high school program, six] elective credits, including at least two credits in academic electives [~~and, for the advanced high school program, five elective credits~~];

(7) one-half credit in speech;

(8) [(2) one or more credits offered in the required curriculum for the recommended and advanced high school programs include a research writing component; and
[(3) the curriculum requirements for the minimum, recommended, and advanced high school programs under Subsection (a) include a requirement that students successfully complete;

[(A)] one credit in fine arts under Section 28.002(a)(2)(D);

(9) [(B)] except as provided by Subsection (b-11), one credit in physical education under Section 28.002(a)(2)(C).

(b-2) In adopting rules under Subsection (b-1), the State Board of Education shall allow a student to comply with the curriculum requirements for the third and fourth [a] mathematics credits for purposes of earning an endorsement [~~course~~] under Subsection (c-1)(1) by successfully

CONFERENCE

(b-2) Same as House version except omits specification that, with regard to an advanced course that can be taken for local credit, the credit be *local* credit.

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advanced [a] mathematics *course under Subsection (b-1)(2) [(b-1)(1)] taken after the successful completion of Algebra I and geometry, and for any advanced* [either after the successful completion of or concurrently with Algebra II or a] science course *under Subsection (b-1)(3) [(b-1)(1)] taken after the successful completion of biology and chemistry and either after the successful completion of or concurrently with physics] by successfully completing a course in the appropriate content area that has been approved as an advanced course by board rule or that is offered as an advanced course for local credit without board approval as provided by Section 28.002(f)* [career and technical course designated by the State Board of Education as containing substantively similar and rigorous academic content. A student may use the option provided by this subsection for not more than two courses].

(b-3) In adopting rules for purposes of Subsection (b-2) [to provide students with the option described by Subsection (b-1)(1)(A)], the State Board of Education must approve a variety of advanced English, mathematics, and science courses that may be taken [after the completion of Algebra II and physics] to comply with the foundation high school [recommended] program requirements, provided that each approved course prepares students to enter the workforce successfully or postsecondary education without remediation.

(b-4) A school district may offer the curriculum described in Subsections (b-1)(1) through (4) [Subsection (b-1)(1)(A)] in an applied manner. Courses delivered in an applied manner must cover the essential knowledge and skills, and the student shall be administered *the* applicable end-of-course assessment

SENATE VERSION (IE)

completing applied mathematics courses [(b-1)(1)] taken after the successful completion of Algebra I and geometry] and for the third and fourth [either after the successful completion of or concurrently with Algebra II or a] science credits for purposes of earning an endorsement [course] under Subsection (c-1)(1) by successfully completing applied science courses. An applied course under this subsection must satisfy the requirements of Subsection (b-4) [(b-1)(1)] taken after the successful completion of biology and chemistry and either after the successful completion of or concurrently with physics by successfully completing an advanced career and technical course designated by the State Board of Education as containing substantively similar and rigorous academic content. A student may use the option provided by this subsection for not more than two courses].

No equivalent provision but see SECTION 66 below repealing Sec. 28.025(b-3).

(b-4) A school district may offer the curriculum described in Subsections (b-1)(1) through (4) [Subsection (b-1)(1)(A)] in an applied manner. Courses delivered in an applied manner must cover the essential knowledge and skills, and the student shall be administered any [the] applicable end-of-course

CONFERENCE

(b-3) Same as House version.

(b-4) Same as House version.

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instrument as provided by Sections 39.023(c) and 39.025.

(b-5) A school district may offer a mathematics or science course to be taken by a student after completion of Algebra II and physics ~~[to comply with the recommended program requirements in Subsection (b-1)(1)(A)]~~. A course approved under this subsection must be endorsed by an institution of higher education as a course for which the institution would award course credit or as a prerequisite for a course for which the institution would award course credit.

(b-7) The State Board of Education, in coordination with the Texas Higher Education Coordinating Board, shall adopt rules to ensure that a student may comply with the curriculum requirements under the foundation [minimum, recommended, or advanced] high school program or for an endorsement under Subsection (c-1) [for each subject of the foundation curriculum under Section 28.002(a)(1) and for languages other than English under Section 28.002(a)(2)(A)] by successfully completing appropriate courses in the core curriculum of an institution of higher education under Section 61.822. Notwithstanding Subsection (b-14) or (c) of this section, Section 39.025, or any other provision of this code and notwithstanding any school district policy, a student who has completed the core curriculum of an institution of higher education under Section 61.822, as certified by the institution in accordance with commissioner rule, is considered to have earned a distinguished level of achievement under the foundation high school program and is entitled to receive a high school diploma from the appropriate high school as that high

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assessment instrument as provided by Sections 39.023(c) and 39.025.

(b-5) Same as House version.

(b-7) The State Board of Education, in coordination with the Texas Higher Education Coordinating Board, shall adopt rules to ensure that a student may comply with the curriculum requirements under Subsections (b-1) and (c-1) [the minimum, recommended, or advanced high school program] for each subject of the foundation curriculum under Section 28.002(a)(1) and for languages other than English under Section 28.002(a)(2)(A) by successfully completing appropriate courses in the core curriculum of an institution of higher education under Section 61.822.

CONFERENCE

(b-5) Same as House version.

(b-7) Same as House version.

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school is determined in accordance with commissioner rule. A student who is considered to have earned a distinguished level of achievement under the foundation high school program under this subsection may apply for admission to an institution of higher education for the first semester or other academic term after the semester or other academic term in which the student completes the core curriculum.

(b-9) A school district may allow ~~[The agency shall establish a pilot program allowing]~~ a student ~~[attending school in a county with a population of more than one million and in which more than 75 percent of the population resides in a single municipality]~~ to satisfy the fine arts credit required under Subsection (b-1)(7) ~~[(b-1)(3)(A)]~~ by participating in a community-based fine arts program not provided by the school district in which the student is enrolled. The fine arts program may be provided on or off a school campus and outside the regular school day. The fine arts program must provide instruction in the essential knowledge and skills identified for the fine arts curriculum under Section 28.002(c). ~~[Not later than December 1, 2010, the agency shall provide to the legislature a report regarding the pilot program, including the feasibility of expanding the pilot program statewide.]~~

(b-10) A school district, with the approval of the commissioner, may allow a student to comply with the curriculum requirements for the physical education credit required under Subsection (b-1)(8) ~~[(b-1)(3)(B)]~~ by participating in a private or commercially sponsored physical activity program provided on or off a school campus and

SENATE VERSION (IE)

(b-9) A school district, with the approval of the commissioner, may allow ~~[The agency shall establish a pilot program allowing]~~ a student ~~[attending school in a county with a population of more than one million and in which more than 75 percent of the population resides in a single municipality]~~ to satisfy the fine arts credit required under Subsection (b-1)(8) ~~[(b-1)(3)(A)]~~ by participating in a community-based fine arts program not provided by the school district in which the student is enrolled. The fine arts program must provide instruction in the essential knowledge and skills identified for fine arts by the State Board of Education under Section 28.002(c). The fine arts program may be provided on or off a school campus and outside the regular school day. ~~[Not later than December 1, 2010, the agency shall provide to the legislature a report regarding the pilot program, including the feasibility of expanding the pilot program statewide.]~~ [FA5]

(b-10) Same as House version.

CONFERENCE

(b-9) Same as Senate version.

(b-10) Same as House version.

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outside the regular school day.

(b-11) In adopting rules under Subsection (b-1), the State Board of Education shall allow a student who is unable to participate in physical activity due to disability or illness to substitute one credit in English language arts, mathematics, science, or social studies, one credit in a course that is offered for local credit as provided by Section 28.002(f), or one academic elective credit for the physical education credit required under Subsection (b-1)(8) [~~(b-1)(3)(B)~~]. A credit allowed to be substituted under this subsection may not also be used by the student to satisfy a graduation requirement other than completion of the physical education credit. The rules must provide that the determination regarding a student's ability to participate in physical activity will be made by:

- (1) if the student receives special education services under Subchapter A, Chapter 29, the student's admission, review, and dismissal committee;
- (2) if the student does not receive special education services under Subchapter A, Chapter 29, but is covered by Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), the committee established for the student under that Act; or
- (3) if each of the committees described by Subdivisions (1) and (2) is inapplicable, a committee established by the school district of persons with appropriate knowledge regarding the student.

(b-12) In adopting rules under Subsection (b-1), the State Board of Education shall adopt criteria to allow a student to comply with the curriculum requirements for the two credits in a language other than English required under Subsection (b-1)(5) by substituting two credits in computer

SENATE VERSION (IE)

(b-11) In adopting rules under Subsection (b-1), the State Board of Education shall allow a student who is unable to participate in physical activity due to disability or illness to substitute one credit in English language arts, mathematics, science, or social studies or one academic elective credit for the physical education credit required under Subsection (b-1)(9) [~~(b-1)(3)(B)~~]. A credit allowed to be substituted under this subsection may not also be used by the student to satisfy a graduation requirement other than completion of the physical education credit. The rules must provide that the determination regarding a student's ability to participate in physical activity will be made by:

- (1) if the student receives special education services under Subchapter A, Chapter 29, the student's admission, review, and dismissal committee;
- (2) if the student does not receive special education services under Subchapter A, Chapter 29, but is covered by Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), the committee established for the student under that Act; or
- (3) if each of the committees described by Subdivisions (1) and (2) is inapplicable, a committee established by the school district of persons with appropriate knowledge regarding the student.

(b-13) In adopting rules under Subsection (b-1), the State Board of Education shall allow a student to substitute credit in another appropriate course for the second credit in the same language in a language other than English otherwise required by Subsection (b-1)(5) if the student, in completing

CONFERENCE

(b-11) Same as House version except omits specification that, with regard to a course offered for local credit, the credit be *local* credit.

(b-12) Same as House version.

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programming languages.

(b-13) In adopting rules under Subsection (b-1), the State Board of Education shall adopt criteria to allow a student in a special education program under Subchapter A, Chapter 29, to comply with the curriculum requirements for two credits in a language other than English required under Subsection (b-1)(5) by substituting credits in English language arts, mathematics, science, or social studies or career and technology or another academic elective credit. A credit allowed to be substituted under this subsection may not also be used by the student to satisfy a graduation requirement other than completion of the language other than English requirement.

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the first credit required under Subsection (b-1)(5), demonstrates that the student is unlikely to be able to complete the second credit. The board rules must establish:
(1) the standards and, as applicable, the appropriate school personnel for making a determination under this subsection; and
(2) appropriate substitute courses for purposes of this subsection. [FA4(3)]

(b-12) In adopting rules under Subsection (b-1), the State Board of Education shall allow a student who, due to disability, is unable to complete two courses in the same language in a language other than English, as provided under Subsection (b-1)(5), to substitute for those credits two credits in English language arts, mathematics, science, or social studies or two credits in career and technology education, technology applications, or other academic electives. A credit allowed to be substituted under this subsection may not also be used by the student to satisfy a graduation credit requirement other than credit for completion of a language other than English. The rules must provide that the determination regarding a student's ability to participate in language-other-than-English courses will be made by:
[FA14(4)]

(1) if the student receives special education services under Subchapter A, Chapter 29, the student's admission, review, and dismissal committee; or
(2) if the student does not receive special education services under Subchapter A, Chapter 29, but is covered by Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), the committee established for the student under that Act.

CONFERENCE

(b-13) Same as Senate version except requires the State Board of Education to allow a student to substitute credit in another appropriate course for the second credit in the same language in a language other than English if the student, in completing the first required credit, demonstrates that the student is unlikely to be able to complete the second credit and requires the board rules to establish the standards and, as applicable, the appropriate school personnel for making a related determination and appropriate substitute courses.

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<p><u>(b-14) A student may earn a distinguished level of achievement under the foundation high school program by successfully completing:</u> <u>(1) four credits in mathematics, which must include Algebra II and the courses described by Subsection (b-1)(2);</u> <u>(2) four credits in science, which must include the courses described by Subsection (b-1)(3);</u> <u>(3) the remaining curriculum requirements under Subsection (b-1); and</u> <u>(4) the curriculum requirements for at least one endorsement under Subsection (c-1).</u></p>	No equivalent provision.	(b-15) Same as House version.
<p><u>(b-15) A student may satisfy an elective credit required under Subsection (b-1)(6) with a credit earned to satisfy the additional curriculum requirements for the distinguished level of achievement under the foundation high school program or an endorsement under Subsection (c-1). This subsection may apply to more than one elective credit.</u></p>	No equivalent provision.	(b-16) Same as House version.
<p><u>(b-16) The State Board of Education shall adopt rules to ensure that a student may comply with the curriculum requirements under Subsection (b-1)(6) by successfully completing an advanced career and technical course, including a course that may lead to an industry-recognized credential or certificate or an associate degree.</u></p>	No equivalent provision.	(b-17) Same as House version.
<p><u>(b-17) In adopting rules under Subsection (b-1), the State Board of Education shall allow a student to comply with the curriculum requirements under Subsection (b-1) by successfully completing a dual credit course.</u></p>	No equivalent provision.	(b-18) Same as House version.
<p><u>(b-18) In adopting rules under Subsection (b-1), the State</u></p>	No equivalent provision.	(b-19) Same as House version.

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Board of Education shall adopt criteria to allow a student to comply with curriculum requirements for the world geography or world history credit under Subsection (b-1)(4) by successfully completing a combined world history and world geography course developed by the State Board of Education.

(c-1) A student may earn an endorsement on the student's diploma and transcript by successfully completing curriculum requirements *for that endorsement adopted by the State Board of Education by rule.* An endorsement under this subsection may be earned in any of the *following categories:*

(1) science, technology, engineering, and mathematics (STEM), *which includes courses directly related to science, including environmental science, technology, including computer science, engineering, and advanced mathematics;*

(2) business and industry, *which includes courses directly related to database management, information technology, communications, accounting, finance, marketing, graphic design, architecture, construction, welding, logistics, automotive technology, agricultural science, and heating, ventilation, and air conditioning;*

(3) *public services, which includes courses directly related to*

SENATE VERSION (IE)

(c-1) A student who successfully completes the curriculum requirements *for the foundation high school program under this section* may earn any of the following endorsements on the student's diploma and transcript as follows:

(3) *an academic achievement* in science, technology, engineering, and mathematics (STEM) *endorsement by earning:*

(A) *one additional credit in mathematics, which must be an Algebra II credit if an Algebra II credit is not used to satisfy the curriculum requirements for the foundation high school program;*

(B) *one additional credit in science; and*

(C) *one additional credit in fine arts or one credit in career and technology education or technology applications; and*

[FA14(7)]

(1) a business and industry *endorsement by earning:*

(A) *one additional credit in mathematics;*

(B) *one additional credit in science;*

(C) *a total of two credits in social studies; and*

(D) *two credits in career and technology education or technology applications;* [FA14(5)]

CONFERENCE

(c-1) Same as House version except *requires the State Board of Education by rule to provide students with multiple options for earning each endorsement, including, to the greatest extent possible, coherent sequences of courses and to permit a student to enroll in courses under more than one endorsement curriculum before the student's junior year* and requires the endorsement in multidisciplinary studies to allow a student to *earn credits in a variety of advanced courses from multiple content areas sufficient to complete the distinguished level of achievement under the foundation high school program.*

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health sciences and occupations, education and training, law enforcement, and culinary arts and hospitality;

(4) arts and humanities, which includes courses directly related to political science, world languages, cultural studies, English literature, history, and fine arts; and

(5) multidisciplinary studies, which allows a student to select courses from the curriculum of each endorsement area described by Subdivisions (1) through (4).

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(2) an academic achievement in arts and humanities endorsement by earning;

(A) one additional credit in mathematics, which must be an Algebra II credit if an Algebra II credit is not used to satisfy the curriculum requirements for the foundation high school program;

(B) one additional credit in social studies; and

(C) one additional credit in fine arts or one credit in career and technology education or technology applications;

[FA14(6)]

(4) a distinguished achievement endorsement by:

(A) successfully completing English III and Algebra II courses and achieving a scale score on an advanced placement test, an international baccalaureate examination, the SAT, an SAT Subject Test, the ACT, or another nationally recognized assessment instrument, not including an end-of-course assessment instrument under Section 39.023(c), that indicates readiness to enroll in an institution of higher education, as determined by the commissioner; and

(B) earning;

(i) one additional credit in mathematics, including Algebra II;

(ii) one additional credit in science;

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(iii) one additional credit in social studies; and
(iv) one additional credit in the same language in a language
other than English in which the student earned two credits
for purposes of Subsection (b-1)(5). [FA27(2)]

(c-2) In adopting rules under Subsection (c-1), the State Board of Education shall:

(1) require a student in order to earn any endorsement to successfully complete four credits in mathematics, which must include:

(A) the courses described by Subsection (b-1)(2); and

(B) an additional advanced mathematics course authorized under Subsection (b-2) or an advanced career and technology course designated by the State Board of Education as containing substantively similar and rigorous academic content to such an advanced mathematics course; and

(2) develop additional curriculum requirements for each endorsement with the direct participation of educators and business, labor, and industry representatives, and shall require each school district to report to the agency the categories of endorsements under Subsection (c-1) for which the district offers all courses for curriculum requirements, as determined by board rule.

Each school district must make available to high school students courses that allow a student to complete the curriculum requirements for at least one endorsement under Subsection (c-1).

No equivalent provision.

(c-2) The State Board of Education shall designate the specific courses required for an endorsement under Subsection (c-1) for courses included in the foundation curriculum under Section 28.002(a)(1).

No equivalent provision.

(c-2) Same as House version except omits specification that the advanced career and technology course be designated by the State Board of Education *as containing substantively similar and rigorous academic content to a certain additional advanced mathematics course* and requires the State Board of Education to *require a student to successfully complete four credits in science, in addition to those in mathematics, and two additional elective credits to earn any endorsement.*

(c-4) Same as House version except *also requires a school district that offers only one endorsement curriculum to offer the multidisciplinary studies endorsement curriculum.*

(c-3) In adopting rules under Subsection (c-1), the State Board of Education shall adopt criteria to allow a student

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participating in the arts and humanities endorsement under Subsection (c-1)(4), with the written permission of the student's parent or a person standing in parental relation to the student, to comply with the curriculum requirements for science required under Subsection (c-2)(1)(B) by substituting for an advanced course requirement a course related to that endorsement.

[The conference committee may have exceeded the limitations imposed on its jurisdiction, but only the presiding officer can make the final determination on this issue.]

No equivalent provision.

(c-3) A student may earn a performance acknowledgment on the student's diploma and transcript by satisfying the requirements for that acknowledgment adopted by the State Board of Education by rule. An acknowledgment under this subsection may be earned:
(1) for outstanding performance;
(A) in a dual credit course;
(B) on a college advanced placement test or international baccalaureate examination; or
(C) on the PSAT, the ACT-Plan, the SAT, or the ACT; or
(2) for earning a nationally or internationally recognized business or industry certification or license.

(e) Each school district shall report the academic achievement

(c-3) Notwithstanding any other provision of law, a school district may contract with any other entity, including another school district or an institution of higher education, to provide a course that the district determines is needed to meet the requirements of this section.

(c-4) A student's diploma must clearly indicate any endorsement under Subsection (c-1) that a student has earned.

(e) Each school district shall report the academic achievement

Same as House version.

(c-5) Same as House version except also authorizes a performance acknowledgement to be earned *in bilingualism and biliteracy*.

(e) Same as House version.

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record of students who have completed the foundation [~~a minimum, recommended, or advanced~~] high school program on transcript forms adopted by the State Board of Education. The transcript forms adopted by the board must be designed to clearly ~~[differentiate between each of the high school programs and]~~ identify whether a student received a diploma or a certificate of coursework completion.

(e-1) A school district shall clearly indicate a distinguished level of achievement under the foundation high school program as described by Subsection (b-14), an endorsement described by Subsection (c-1), and a performance acknowledgment described by Subsection (c-3) on the diploma and transcript of a student who satisfies the applicable requirements. The State Board of Education shall adopt rules as necessary to administer this subsection.

(e-2) At the end of each school year, each school district shall report through the Public Education Information Management System (PEIMS) the number of district students who, during that school year, were:

- (1) enrolled in the foundation high school program;
- (2) pursuing the distinguished level of achievement under the foundation high school program as provided by Subsection (b-14); and
- (3) enrolled in a program to earn an endorsement described by Subsection (c-1).

(e-3) Information reported under Subsection (e-2) must be disaggregated by all student groups served by the district, including categories of race, ethnicity, socioeconomic status, sex, and populations served by special programs, including

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record of students who have completed the foundation [~~a minimum, recommended, or advanced~~] high school program on transcript forms adopted by the State Board of Education. The transcript forms adopted by the board must be designed to clearly ~~[differentiate between each of the high school programs and]~~ identify whether a student received a diploma or a certificate of coursework completion

and to clearly indicate an endorsement under Subsection (c-1) that a student has earned.

No equivalent provision.

No equivalent provision.

CONFERENCE

(e-1) Same as House version.

(e-2) Same as House version.

(e-3) Same as House version.

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students in special education programs under Subchapter A, Chapter 29.

(h) The commissioner by rule shall adopt a transition plan to implement and administer the amendments made by . B. No. , 83rd Legislature, Regular Session, 2013, replacing the minimum, recommended, and advanced high school programs with the foundation high school program beginning with the **2014-2015** school year. Under the transition plan, a student who entered the ninth grade before the **2014-2015** school year must be permitted to complete the curriculum requirements required for high school graduation under:

(1) the foundation high school program, if the student chooses during the **2014-2015** school year to take courses under this program;

(2) the minimum high school program, as that program existed before the adoption of .B. No. , 83rd Legislature, Regular Session, 2013, if the student was participating in that program before the **2014-2015** school year;

(3) the recommended high school program, as that program existed before the adoption of .B. No. , 83rd Legislature, Regular Session, 2013, if the student was participating in that program before the **2014-2015** school year; or

(4) the advanced high school program, as that program existed before the adoption of .B. No. , 83rd Legislature, Regular Session, 2013, if the student was participating in that program before the **2014-2015** school year.

(h-1) This subsection and Subsection (h) expire September 1, 2018.

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(h) The commissioner by rule shall adopt a transition plan to implement and administer the amendments made by H.B. No. 5, 83rd Legislature, Regular Session, 2013, replacing the minimum, recommended, and advanced high school programs with the foundation high school program beginning with the **2013-2014** school year. Under the transition plan, a student who entered the ninth grade before the **2013-2014** school year must be permitted to complete the curriculum requirements required for high school graduation under:

(1) the foundation high school program, if the student makes the choice during the **2013-2014** school year to take courses under that program;

(2) the minimum high school program, as that program existed before the adoption of H.B. No. 5, 83rd Legislature, Regular Session, 2013, if the student was participating in that program before the **2013-2014** school year;

(3) the recommended high school program, as that program existed before the adoption of H.B. No. 5, 83rd Legislature, Regular Session, 2013, if the student was participating in that program before the **2013-2014** school year; or

(4) the advanced high school program, as that program existed before the adoption of H.B. No. 5, 83rd Legislature, Regular Session, 2013, if the student was participating in that program before the **2013-2014** school year.

(h-1) Same as House version.

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(h) Substantially the same as House version.

(h-1) Same as House version.

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No equivalent provision.

(b) This section applies beginning with the 2014-2015 school year.

No equivalent provision.

SECTION 16. (a) Section 28.0253(e), Education Code, is amended to read as follows:

(e) A student who receives a high school diploma through the pilot program is considered to have earned a distinguished level of achievement under [completed] the foundation [recommended] high school program adopted under Section 28.025 [28.025(a)]. The student is not guaranteed admission to any institution of higher education or to any academic program at an institution of higher education solely on the

SENATE VERSION (IE)

No equivalent provision.

(b) Same as House version.

No equivalent provision.

SECTION 13. (a) Section 28.0253(e), Education Code, is amended to read as follows:

(e) A student who receives a high school diploma through the pilot program is considered to have earned an endorsement [completed the recommended high school program adopted] under Section 28.025(c-1) [28.025(a)]. The student is not guaranteed admission to any institution of higher education or to any academic program at an institution of higher education solely on the basis of having received the diploma through the

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(h-2) This subsection applies only to a student participating in the minimum, recommended, or advanced high school program who is completing the fourth year of high school during the 2013-2014 school year. The commissioner by rule shall permit a student who does not satisfy the curriculum requirements of the high school program in which the student is participating to graduate if the student satisfies the curriculum requirements established for the foundation high school program under this section as amended by H.B. No. 5, 83rd Legislature, Regular Session, 2013, and any other requirement required for graduation. This subsection expires September 1, 2015.

(b) Except as provided by Subsection (c) of this section, this section applies beginning with the 2014-2015 school year.

(c) Section 28.025(h-2), Education Code, as added by this section, applies during the 2013-2014 school year.

[The conference committee may have exceeded the limitations imposed on its jurisdiction, but only the presiding officer can make the final determination on this issue.]

SECTION 17. Same as House version.

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basis of having received the diploma through the program.
The student may apply for admission to an institution of higher education for the first semester or other academic term after the semester or other academic term in which the student earns a diploma through the pilot program.

(b) This section applies beginning with the 2014-2015 school year.

No equivalent provision.

No equivalent provision.

SENATE VERSION (IE)

program.

(b) This section applies beginning with the 2014-2015 school year.

SECTION __. (a) Subchapter B, Chapter 28, Education Code, is amended by adding Section 28.0256, TEXAS STATE SEAL OF BILINGUALISM AND BILITERACY.

(b) This section applies beginning with the 2013-2014 school year. [FA21]

SECTION __. (a) Section 28.026, Education Code, is amended to read as follows:

Sec. 28.026. NOTICE OF REQUIREMENTS FOR AUTOMATIC COLLEGE ADMISSION AND FINANCIAL AID. (a) The board of trustees of a school district and the governing body of each open-enrollment charter school that provides a high school shall require each high school in the district or provided by the charter school, as applicable, to post appropriate signs in each counselor's office, in each principal's office, and in each administrative building indicating the substance of Section 51.803 regarding automatic college admission and stating the curriculum requirements for financial aid authorized under Title 3. To assist in the dissemination of that ~~that~~ information, the ~~school~~ district or charter school shall:

(1) require that each high school counselor and class advisor be provided a detailed explanation of the substance of Section 51.803 and the curriculum requirements for financial aid

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Same as House version.

SECTION 18. Same as Senate version.

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authorized under Title 3;

(2) provide each district or school student, at the time the student first registers for one or more classes required for high school graduation, with a written notification, including a detailed explanation in plain language, of the substance of Section 51.803, the curriculum requirements for financial aid authorized under Title 3, and the benefits of completing the requirements for that automatic admission and financial aid;

(3) require that each high school counselor and senior class advisor explain to eligible students the substance of Section 51.803; and

(4) not later than the 14th day after the last day of classes for the fall semester or an equivalent date in the case of a school operated on a year-round system under Section 25.084, provide each ~~[eligible]~~ senior student eligible under Section 51.803 and each student enrolled in the junior year of high school who has a grade point average in the top 10 percent of the student's high school class, and the student's parent or guardian, with a written notification of the student's eligibility with a detailed explanation in plain language of the substance of Section 51.803.

(b) The commissioner shall adopt forms, including specific language, to use in providing notice under Subsections (a)(2) and (4). In providing notice under Subsection (a)(2) or (4), a school district or open-enrollment charter school shall use the appropriate form adopted by the commissioner. The notice to a student and the student's parent or guardian under Subsections (a)(2) and [Subsection] (a)(4) must be on a single form that contains ~~[may contain one or more]~~ signature lines to indicate receipt of notice by the student and [or] the student's parent or guardian. The notice under Subsection (a)(2) must be signed by the student's counselor in addition to

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being signed by the student and the student's parent or guardian.

(b) This section applies beginning with the 2014-2015 school year. [FA18(1)]

SECTION 17. (a) Sections 28.027(a) and (b), Education Code, are amended to read as follows: Among other provisions, amends (b) as follows:

(a) In this section, "applied STEM course" means an applied science, technology, engineering, or mathematics course offered as part of a school district's career and technology education or technology applications curriculum.

(b) The State Board of Education shall establish a process under which an applied STEM course may be reviewed and approved for purposes of satisfying the mathematics and science curriculum requirements for the foundation ~~[recommended]~~ high school program ~~[imposed]~~ under Section 28.025 ~~[28.025(b-1)(1)(A)]~~ through substitution of the applied STEM course for a specific mathematics or science course otherwise authorized ~~[required]~~ under the foundation ~~[recommended]~~ high school program ~~[and completed during the student's fourth year of mathematics or science course work]~~. *The State Board of Education may only approve a course to substitute for a mathematics course taken after successful completion of Algebra I and geometry* ~~[and after successful completion of or concurrently with Algebra II]~~. The State Board of Education may only approve a course to substitute for a science course taken after successful completion of biology ~~[and chemistry and after successful completion of or concurrently with physics]~~.

SECTION 14.

(a) Same as House version.

(b) The State Board of Education shall establish a process under which an applied STEM course may be reviewed and approved for purposes of satisfying the mathematics and science curriculum requirements for the foundation ~~[recommended]~~ high school program ~~[imposed]~~ under Section 28.025 ~~[28.025(b-1)(1)(A)]~~ through substitution of the applied STEM course for a specific mathematics or science course otherwise *required* under the foundation ~~[recommended]~~ high school program ~~[and completed during the student's fourth year of mathematics or science course work]~~. ~~[The State Board of Education may only approve a course to substitute for a mathematics course taken after successful completion of Algebra I and geometry and after successful completion of or concurrently with Algebra II.]~~ The State Board of Education may only approve a course to substitute for a science course taken after successful completion of biology ~~[and chemistry and after successful completion of or concurrently with physics]~~.

SECTION 19. Same as Senate version.

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(b) This section applies beginning with the 2014-2015 school year.

(b) Same as House version.

SECTION 18. (a) Subchapter B, Chapter 28, Education Code, is amended by adding Section 28.030, HIGH SCHOOL STUDENT SURVEY.

No equivalent provision.

Same as Senate version.

(b) This section applies beginning with the 2017-2018 school year.

No equivalent provision.

SECTION 15. Section 29.081, Education Code, is amended by adding Subsections (b-1), (b-2), and (b-3) to read as follows:

SECTION 20. Section 29.081, Education Code, is amended by adding Subsections (b-1), (b-2), and (b-3) and amending Subsection (d) to read as follows:

No equivalent provision.

(b-1) Each district shall offer additional accelerated instruction to each student in any subject in which that student has failed an end-of-course assessment instrument that the student is required to pass in order to graduate before the next scheduled test administration without any cost to the student.

(b-1) Substantially the same as Senate version.

No equivalent provision.

(b-2) A district that is required to provide accelerated instruction under Subsection (b-1) shall separately budget sufficient funds, including funds under Section 42.152, for that purpose. A district may not budget funds received under Section 42.152 for any other purpose until it has adopted a budget to support additional accelerated instruction under Subsection (b-1).

(b-2) Substantially the same as Senate version.

No equivalent provision.

(b-3) A district shall evaluate the effectiveness of accelerated instruction programs under Subsection (b-1) and hold a public hearing once each year to consider the results.

(b-3) Substantially the same as Senate version.

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No equivalent provision.

SENATE VERSION (IE)

No equivalent provision.

CONFERENCE

(d) For purposes of this section, "student at risk of dropping out of school" includes each student who is under 26 [21] years of age and who:

- (1) was not advanced from one grade level to the next for one or more school years;*
- (2) if the student is in grade 7, 8, 9, 10, 11, or 12, did not maintain an average equivalent to 70 on a scale of 100 in two or more subjects in the foundation curriculum during a semester in the preceding or current school year or is not maintaining such an average in two or more subjects in the foundation curriculum in the current semester;*
- (3) did not perform satisfactorily on an assessment instrument administered to the student under Subchapter B, Chapter 39, and who has not in the previous or current school year subsequently performed on that instrument or another appropriate instrument at a level equal to at least 110 percent of the level of satisfactory performance on that instrument;*
- (4) if the student is in prekindergarten, kindergarten, or grade 1, 2, or 3, did not perform satisfactorily on a readiness test or assessment instrument administered during the current school year;*
- (5) is pregnant or is a parent;*
- (6) has been placed in an alternative education program in accordance with Section 37.006 during the preceding or current school year;*
- (7) has been expelled in accordance with Section 37.007 during the preceding or current school year;*
- (8) is currently on parole, probation, deferred prosecution, or other conditional release;*
- (9) was previously reported through the Public Education Information Management System (PEIMS) to have dropped*

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out of school;
(10) is a student of limited English proficiency, as defined by Section 29.052;
(11) is in the custody or care of the Department of Protective and Regulatory Services or has, during the current school year, been referred to the department by a school official, officer of the juvenile court, or law enforcement official;
(12) is homeless, as defined by 42 U.S.C. Section 11302, and its subsequent amendments; or
(13) resided in the preceding school year or resides in the current school year in a residential placement facility in the district, including a detention facility, substance abuse treatment facility, emergency shelter, psychiatric hospital, halfway house, or foster group home.

[The conference committee may have exceeded the limitations imposed on its jurisdiction, but only the presiding officer can make the final determination on this issue.]

SECTION 19. (a) Section 29.0821(a), Education Code, is amended.
(b) This section applies beginning with the 2013-2014 school year.

No equivalent provision.

Same as Senate version.

SECTION 20. (a) Section 29.096(e), Education Code, is amended.
(b) This section applies beginning with the 2014-2015 school year.

SECTION 16. Same as House version.

SECTION 21. Same as House version.

SECTION 21. Section 29.182(b), Education Code, is amended.

SECTION 17. Same as House version.

SECTION 22. Same as House version.

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SECTION 22. The heading to Section 29.190, Education Code, is amended to read as follows:
Sec. 29.190. SUBSIDY FOR MANUFACTURING
CERTIFICATION EXAMINATION.

SECTION 23. (a) Sections 29.190(a) and (c), Education Code, are amended to read as follows:

(a) A student is entitled to a subsidy under this section if:

(1) the student:

(A) successfully completes the career and technology program of a school district in which the student receives training and instruction for employment ~~[in a current or emerging high-demand, high wage, high skill occupation, as determined under Subsection (e)]~~; or

(B) is enrolled in a special education program under Subchapter A; and

(2) the student passes a certification examination to qualify for a license or certificate *for an [the] occupation in the manufacturing industry*; ~~and~~

~~[(3) the student submits to the district a written application in the form, time, and manner required by the district for the district to subsidize the cost of an examination described by Subdivision (2)].~~

(c) On approval by the commissioner, the agency shall pay each school district an amount equal to the cost paid by the district ~~[or student]~~ for the certification examination. To obtain reimbursement for a subsidy paid under this section, a district must:

(1) pay the fee for the examination ~~[or pay the student the amount of the fee paid by the student for the examination]~~; and

(2) submit to the commissioner a written application on a form

SENATE VERSION (IE)

SECTION 18. No equivalent provision. [Deleted by FA6(1)]

SECTION 19. No equivalent provision. [Deleted by FA6(2)]

CONFERENCE

Same as Senate version.

SECTION 23. Same as House version except as follows:

(a) A student is entitled to a subsidy under this section if:

(1) the student:

(A) successfully completes the career and technology program of a school district in which the student receives training and instruction for employment ~~[in a current or emerging high-demand, high wage, high skill occupation, as determined under Subsection (e)]~~; or

(B) is enrolled in a special education program under Subchapter A; and

(2) the student passes a certification examination to qualify for a license or certificate *[for the occupation]*; ~~and~~

~~[(3) the student submits to the district a written application in the form, time, and manner required by the district for the district to subsidize the cost of an examination described by Subdivision (2)].~~

(c) Same as House version.

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prescribed by the commissioner stating the amount of the fee paid under Subdivision (1) for the certification examination.

(b) This section applies beginning with the 2013-2014 school year.

SECTION 24. (a) Section 29.402(b), Education Code, is amended.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 25. (a) Section 29.904(d), Education Code, is amended to read as follows:

(d) A plan developed under this section:

(1) must establish clear, achievable goals for increasing the percentage of the school district's graduating seniors, particularly the graduating seniors attending a high school described by Subsection (a), who enroll in an institution of higher education for the academic year following graduation;

(2) must establish an accurate method of measuring progress toward the goals established under Subdivision (1) that may include the percentage of district high school students and the percentage of students attending a district high school described by Subsection (a) who:

(A) are enrolled in a course for which a student may earn college credit, such as an advanced placement or international baccalaureate course or a course offered through concurrent enrollment in high school and at an institution of higher education;

(B) are enrolled in courses that meet the curriculum requirements for the distinguished level of achievement under the foundation [recommended or advanced] high school program as determined under Section 28.025;

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SECTION 20. Same as House version.

SECTION 21. (a) Section 29.904(d), Education Code, is amended to read as follows:

(d) A plan developed under this section:

(1) must establish clear, achievable goals for increasing the percentage of the school district's graduating seniors, particularly the graduating seniors attending a high school described by Subsection (a), who enroll in an institution of higher education for the academic year following graduation;

(2) must establish an accurate method of measuring progress toward the goals established under Subdivision (1) that may include the percentage of district high school students and the percentage of students attending a district high school described by Subsection (a) who:

(A) are enrolled in a course for which a student may earn college credit, such as an advanced placement or international baccalaureate course or a course offered through concurrent enrollment in high school and at an institution of higher education;

(B) are enrolled in courses that meet the curriculum requirements for an endorsement [the recommended or advanced high school program] as determined under Section 28.025;

CONFERENCE

(b) Same as House version.

SECTION 24. Same as House version.

SECTION 25. Same as House version.

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(C) have submitted a free application for federal student aid (FAFSA);
(D) are exempt under Section 51.3062(p) or (q) from administration of an assessment instrument under Section 51.3062 or have performed successfully on an assessment instrument under Section 51.3062;
(E) graduate from high school;
(F) graduate from an institution of higher education; and
(G) have taken college entrance examinations and the average score of those students on the examinations;
(3) must cover a period of at least five years; and
(4) may be directed at district students at any level of primary or secondary education.
(b) This section applies beginning with the 2014-2015 school year.

SECTION 26. (a) Section 30A.110(b), Education Code, is amended.
(b) This section applies beginning with the 2013-2014 school year.

SECTION 27. (a) Section 31.0211(c), Education Code, is amended.
(b) This section applies beginning with the 2014-2015 school year.

No equivalent provision.

No equivalent provision.

SENATE VERSION (IE)

(C) have submitted a free application for federal student aid (FAFSA);
(D) are exempt under Section 51.3062(p) or (q) from administration of an assessment instrument under Section 51.3062 or have performed successfully on an assessment instrument under Section 51.3062;
(E) graduate from high school;
(F) graduate from an institution of higher education; and
(G) have taken college entrance examinations and the average score of those students on the examinations;
(3) must cover a period of at least five years; and
(4) may be directed at district students at any level of primary or secondary education.
(b) This section applies beginning with the 2014-2015 school year.

No equivalent provision.

SECTION 22. No equivalent provision. [Deleted by FA2(2)]

SECTION __. Section 31.0215, Education Code.
INSTRUCTIONAL MATERIAL ALLOTMENT
PURCHASES.

(a) The commissioner shall, as soon as practicable, notify each school district and open-enrollment charter of an estimated

CONFERENCE

Same as Senate version.

SECTION 26. Same as House version.

SECTION 27. Same as Senate version except as follows:
Sec. 31.0215. INSTRUCTIONAL MATERIAL
ALLOTMENT PURCHASES.

(a) The commissioner shall, as early as practicable *during each fiscal year*, notify each school district and open-

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amount to which the district or charter *would be* entitled under Section 31.0211 during the next fiscal year.

enrollment charter school of the estimated amount to which the district or charter school *will be* entitled under Section 31.0211 during the next fiscal year.

No equivalent provision.

(b) The commissioner may allow school districts and open enrollment charter schools to place orders for instructional materials prior to the beginning of a fiscal year and to receive instructional materials prior to payment. The commissioner shall limit *orders* placed under this section to eighty per cent of the estimated amount to which a district or open-enrollment charter *would* be entitled and shall first credit any balance in a district or charter school instructional materials account to pay for orders under this section.

(b) The commissioner may allow a school district or open-enrollment charter school to place an order for instructional materials before the beginning of a fiscal year and to receive instructional materials before payment. The commissioner shall limit *the cost of an order* placed under this section to 80 percent of the estimated amount to which a school district or open-enrollment charter school *is estimated to* be entitled as provided by Subsection (a) and shall first credit any balance in a district or charter school instructional materials account to pay for an order placed under this section.

The commissioner shall make payments of orders placed under this section as funds become available to the instructional materials fund and shall prioritize orders placed under this section over reimbursement of purchases made directly by a district or charter.

(c) The commissioner shall make payments for orders placed under this section as funds become available to the instructional materials fund and shall prioritize *payment of* orders placed under this section over reimbursement of purchases made directly by a school district or open-enrollment charter school.

No equivalent provision.

(c) The commissioner shall ensure that publishers of instructional materials are informed of any potential delay in payment and that payment is subject to the availability of appropriated funds. A publisher may decline to accept an order placed under this section.

(d) Same as Senate version.

No equivalent provision.

(d) The commissioner may make rules to implement this section. Chapter 2251, Government Code, does not apply to purchases of instructional materials under this section. [FA22]

(e) - (f) Substantially the same as Senate version.

SECTION 28. (a) Subchapter B, Chapter 31, Education Code,

SECTION 23. No equivalent provision. [Deleted by FA2(2)]

SECTION 28. Same as House version.

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is amended by adding Section 31.031, COLLEGE PREPARATORY INSTRUCTIONAL MATERIALS.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 29. (a) The heading to Section 33.007, Education Code, is amended.

(b) This section takes effect beginning with the 2014-2015 school year.

SECTION 30. (a) Sections 33.007(a) and (b), Education Code, are amended to read as follows:

(a) Each school counselor at an elementary, middle, or junior high school, including an open-enrollment charter school offering those grades, shall advise students and their parents or guardians regarding the importance of postsecondary ~~[higher]~~ education, coursework designed to prepare students for postsecondary ~~[higher]~~ education, and financial aid availability and requirements.

(b) During the first school year a student is enrolled in a high school or at the high school level in an open-enrollment charter school, and again during each ~~[a student's senior]~~ year of a student's enrollment in high school or at the high school level, a school counselor shall provide information about postsecondary ~~[higher]~~ education to the student and the student's parent or guardian. The information must include information regarding:

- (1) the importance of postsecondary ~~[higher]~~ education;
- (2) the advantages of earning an endorsement and a performance acknowledgment and completing the distinguished level of achievement under the foundation ~~[recommended or advanced]~~ high school program ~~[adopted]~~

SENATE VERSION (IE)

SECTION 24. Same as House version.

SECTION 25. (a) Sections 33.007(a) and (b), Education Code, are amended to read as follows:

(a) Each school counselor at an elementary, middle, or junior high school, including an open-enrollment charter school offering those grades, shall advise students and their parents or guardians regarding the importance of postsecondary ~~[higher]~~ education, coursework designed to prepare students for postsecondary ~~[higher]~~ education, and financial aid availability and requirements.

(b) During the first school year a student is enrolled in a high school or at the high school level in an open-enrollment charter school, and again during each ~~[a student's senior]~~ year of a student's enrollment in high school or at the high school level, a school counselor shall provide information about postsecondary ~~[higher]~~ education to the student and the student's parent or guardian. The information must include information regarding:

- (1) the importance of postsecondary ~~[higher]~~ education;
- (2) the advantages of earning an endorsement ~~[completing the recommended or advanced high school program adopted]~~ under Section 28.025 ~~[28.025(a)]~~;

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SECTION 29. Same as House version.

SECTION 30. Same as House version.

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<p>under Section <u>28.025</u> [28.025(a)];</p> <p>(3) the disadvantages of taking courses to prepare for a high school equivalency examination relative to the benefits of taking courses leading to a high school diploma;</p> <p>(4) financial aid eligibility;</p> <p>(5) instruction on how to apply for federal financial aid;</p> <p>(6) the center for financial aid information established under Section 61.0776;</p> <p>(7) the automatic admission of certain students to general academic teaching institutions as provided by Section 51.803;</p> <p>(8) the eligibility and academic performance requirements for the TEXAS Grant as provided by Subchapter M, Chapter 56; and</p> <p>(9) the availability of programs in the district under which a student may earn college credit, including advanced placement programs, dual credit programs, joint high school and college credit programs, and international baccalaureate programs.</p> <p>(b) This section applies beginning with the 2014-2015 school year.</p> <p>SECTION 31. (a) Section 33.0812(a), Education Code, is amended.</p> <p>(b) This section applies beginning with the 2013-2014 school year.</p> <p>SECTION 32. (a) Section 39.023, Education Code, is amended by amending Subsections (b), (c), (c-2), (c-3), (e), and (h) and adding Subsections (b-1), (e-1), (e-2), and (e-3) to read as follows:</p> <p>No equivalent provision.</p>	<p>(3) the disadvantages of taking courses to prepare for a high school equivalency examination relative to the benefits of taking courses leading to a high school diploma;</p> <p>(4) financial aid eligibility;</p> <p>(5) instruction on how to apply for federal financial aid;</p> <p>(6) the center for financial aid information established under Section 61.0776;</p> <p>(7) the automatic admission of certain students to general academic teaching institutions as provided by Section 51.803;</p> <p>(8) the eligibility and academic performance requirements for the TEXAS Grant as provided by Subchapter M, Chapter 56; and</p> <p>(9) the availability of programs in the district under which a student may earn college credit, including advanced placement programs, dual credit programs, joint high school and college credit programs, and international baccalaureate programs.</p> <p>(b) This section applies beginning with the 2014-2015 school year.</p> <p>No equivalent provision.</p> <p>SECTION 26. (a) Section 39.023, Education Code, is amended by amending Subsections (a), (b), (c), (c-3), (e), and (h) and adding Subsections (b-1), (e-1), (e-2), and (e-3) to read as follows: [FA24(1)]</p> <p>(a) The agency shall adopt or develop appropriate criterion-</p>	<p>Same as Senate version.</p> <p>SECTION 31. Same as House version except as follows:</p> <p>Same as House version.</p>

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referenced assessment instruments. Those assessment instruments may be used only for purposes for which the assessment instruments are designed and for which it has been empirically established the assessment instruments are valid and reliable, including to assess student understanding of essential knowledge and skills in reading, writing, mathematics, social studies, and science. Except as provided by Subsection (a-2), all students, other than students assessed under Subsection (b) or (l) or exempted under Section 39.027, shall be assessed in:

- (1) mathematics, annually in grades three through seven without the aid of technology and in grade eight with the aid of technology on any assessment instrument that includes algebra;
 - (2) reading, annually in grades three through eight;
 - (3) writing, including spelling and grammar, in grades four and seven;
 - (4) social studies, in grade eight;
 - (5) science, in grades five and eight; and
 - (6) any other subject and grade required by federal law.
- [FA24(2)]

No equivalent provision.

No equivalent provision.

(a-2) Except as required by federal law, a [A] student is not required to be assessed in a subject otherwise assessed at the student's grade level under Subsection (a) if the student:
(1) is enrolled in a course in the subject intended for students above the student's grade level and will be administered an assessment instrument adopted or developed under Subsection (a) that aligns with the curriculum for the course in which the student is enrolled;
or
(2) is enrolled in a course in the subject for which the

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student will receive high school academic credit and will be administered an end-of-course assessment instrument adopted under Subsection (c) for the course.

[The conference committee may have exceeded the limitations imposed on its jurisdiction, but only the presiding officer can make the final determination on this issue.]

(b) The agency shall develop or adopt appropriate criterion-referenced alternative assessment instruments to be administered to each student in a special education program under Subchapter A, Chapter 29, for whom an assessment instrument adopted under Subsection (a), even with allowable accommodations, would not provide an appropriate measure of student achievement, as determined by the student's admission, review, and dismissal committee, including assessment instruments approved by the commissioner that measure growth. The assessment instruments developed or adopted under this subsection, including the assessment instruments approved by the commissioner, must, to the extent allowed under federal law, provide a district with options for the assessment of students under this subsection.

(b) Same as House version.

(b) Same as House version.

(b-1) The agency, in conjunction with appropriate interested persons, shall redevelop assessment instruments adopted or developed under Subsection (b) for administration to significantly cognitively disabled students in a manner consistent with federal law. An assessment instrument under this subsection may not require a teacher to prepare tasks or materials for a student who will be administered such an assessment instrument. Assessment instruments adopted or developed under this subsection shall be administered not later

(b-1) Same as House version.

(b-1) Same as House version.

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than the 2014-2015 school year.

(c) The agency shall also adopt end-of-course assessment instruments for secondary-level courses in Algebra I, [~~Algebra II, geometry,~~] biology, [~~chemistry, physics, English I,~~] English II, [~~English III, world geography, world history,~~] and United States history. The Algebra I [~~, Algebra II, and geometry~~] end-of-course assessment instrument [~~instruments~~] must be administered with the aid of technology.

A school district shall comply with State Board of Education rules regarding administration of the assessment instruments listed in this subsection and may [~~shall~~] *adopt a policy that requires a student's performance on an end-of-course assessment instrument for a course listed in this subsection in which the student is enrolled to be considered in determining [account for 15 percent of] the student's final grade for the course.* [If a student retakes an end-of-course assessment instrument for a course listed in this subsection, as provided by Section 39.025, a school district is not required to use the student's performance on the subsequent administration or administrations of the assessment instrument to determine the student's final grade for the course.] If a student is in a special education program under Subchapter A, Chapter 29, the student's admission, review, and dismissal committee shall determine whether any allowable modification is necessary in administering to the student an assessment instrument required under this subsection. The State Board of Education shall administer the assessment instruments. The State Board of Education shall adopt a

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(c) The agency shall also adopt end-of-course assessment instruments for secondary-level courses in Algebra I, [~~Algebra II, geometry,~~] biology, [~~chemistry, physics,~~] English I, English II, [~~English III, world geography, world history,~~] and United States history. The Algebra I [~~, Algebra II, and geometry~~] end-of-course assessment instrument [~~instruments~~] must be administered with the aid of technology. *The English I and English II end-of-course assessment instruments must each assess essential knowledge and skills in both reading and writing in the same assessment instrument.*

A school district shall comply with State Board of Education rules regarding administration of the assessment instruments listed in this subsection [~~and shall adopt a policy that requires a student's performance on an end-of-course assessment instrument for a course listed in this subsection in which the student is enrolled to account for 15 percent of the student's final grade for the course.~~ If a student retakes an end-of-course assessment instrument for a course listed in this subsection, as provided by Section 39.025, a school district is not required to use the student's performance on the subsequent administration or administrations of the assessment instrument to determine the student's final grade for the course]. If a student is in a special education program under Subchapter A, Chapter 29, the student's admission, review, and dismissal committee shall determine whether any allowable modification is necessary in administering to the student an assessment instrument required under this subsection. The State Board of Education shall administer the assessment instruments. The State Board of Education shall adopt a schedule for the administration of end-of-course

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(c) Same as Senate version except *requires that the English I and English II end-of-course tests provide a single score.*

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schedule for the administration of end-of-course assessment instruments *specified in this subsection and Subsection (c-2)* that complies with the requirements of Subsection (c-3).

(c-2) The agency shall also adopt end-of-course assessment instruments for secondary-level courses in Algebra II and English III, which shall be administered to a student at the student's option. The Algebra II end-of-course assessment instrument must be administered with the aid of technology. A school district shall comply with State Board of Education rules regarding administration of the Algebra II and English III end-of-course assessment instruments. ~~[The agency may adopt end-of-course assessment instruments for courses not listed in Subsection (c).]~~ A student's performance on an end-of-course assessment instrument adopted under this subsection is not subject to the performance requirements established under Subsection (c) or Section 39.025.

(c-3) In adopting a schedule for the administration of assessment instruments under this section, the State Board of Education ~~[shall require]~~:

(1) shall require assessment instruments administered under Subsection (a) to be administered on a schedule so that the first assessment instrument is administered at least two weeks later than the date on which the first assessment instrument was administered under Subsection (a) during the 2006-2007 school year; ~~[and]~~

(2) shall require the spring administration of end-of-course assessment instruments under Subsection (c) *or the end-of-course assessment instrument in Algebra II under Subsection (c-2)* to occur in each school district *during the latest practicable* ~~[not earlier than the first full]~~ week as

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assessment instruments that complies with the requirements of Subsection (c-3).

No equivalent provision.

(c-3) In adopting a schedule for the administration of assessment instruments under this section, the State Board of Education shall require:

(1) assessment instruments administered under Subsection (a) to be administered on a schedule so that the first assessment instrument is administered at least two weeks later than the date on which the first assessment instrument was administered under Subsection (a) during the 2006-2007 school year; and

(2) the spring administration of end-of-course assessment instruments under Subsection (c) to occur in each school district *not earlier than the first full week in May*, except that the spring administration of the end-of-course assessment instruments in *English I* and ~~[;]~~ English II ~~[, and English III]~~

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Same as Senate version.

(c-3) Same as Senate version.

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determined by the commissioner, but not earlier than the third full week in May, except that the spring administration of the end-of-course assessment instruments in ~~[English I,]~~ English II Writing~~[-and English III]~~ must be permitted to occur at an earlier date; and
(3) shall permit the spring administration of the end-of-course assessment instruments in English III Writing under Subsection (c-2) to occur earlier than the third full week in May.

(e) Under rules adopted by the State Board of Education, every third year, the agency shall release the questions and answer keys to each assessment instrument administered under Subsection (a), (b), (c), (c-2), (d), or (l), excluding any assessment instrument administered to a student for the purpose of retaking the assessment instrument, after the last time the instrument is administered for that school year. To ensure a valid bank of questions for use each year, the agency is not required to release a question that is being field-tested and was not used to compute the student's score on the instrument. The agency shall also release, under board rule, each question that is no longer being field-tested and that was not used to compute a student's score. During the 2014-2015 and 2015-2016 school years, the agency shall release the questions and answer keys to assessment instruments as described by this subsection each year.

(e-1) Under rules adopted by the commissioner, for the 2012-2013 school year, the agency each year shall release the questions and answer keys to each assessment instrument administered under Subsection (a), (c), (d), or (l), excluding any assessment instrument administered to a student for the

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must be permitted to occur at an earlier date.

Substantially
(e) Same as House version.

(e-1) Same as House version.

CONFERENCE

Senate
(e) Substantially the same as House version.

(e-1) Same as House version.

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purpose of retaking the assessment instrument, after the last time the instrument is administered for that school year. This subsection expires December 31, 2013.

(e-2) Under rules adopted by the commissioner, for the 2013-2014 school year, the agency each year shall release the questions and answer keys to each assessment instrument administered under Subsection (b), (c), (c-2), or (l), excluding any assessment instrument administered to a student for the purpose of retaking the assessment instrument and any assessment instrument covering a subject or course for which the questions and answer keys for the 2012-2013 assessment instrument covering that subject or course were released, after the last time the instrument is administered for the 2013-2014 school year. This subsection expires December 31, 2014.

(e-3) Under rules adopted by the commissioner, for the 2013-2014 school year, the agency each year shall release the questions and answer keys to each assessment instrument administered under Subsection (a), (b), (c), (d), or (l) during the ~~2011-2012~~ school year after the last time any assessment instrument is administered for the 2013-2014 school year. This subsection expires December 31, 2014.

(h) The agency shall notify school districts and campuses of the results of assessment instruments administered under this section [at the earliest possible date determined by the State Board of Education but] not later than the 21st day after the date the assessment instrument is administered [beginning of the subsequent school year]. The school district shall disclose to each district teacher the results of assessment instruments administered to students taught by the teacher in the subject

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Substantially
(e-2) Same as House version.

(e-3) Under rules adopted by the commissioner, for the 2013-2014 school year, the agency each year shall release the questions and answer keys to each assessment instrument administered under Subsection (a), (b), (c), (d), or (l) during the ~~2013-2014~~ school year after the last time any assessment instrument is administered for the 2013-2014 school year. This subsection expires December 31, 2014.

(h) Same as House version.

CONFERENCE

Senate
(e-2) ~~Substantially~~ Same as ~~House~~ version.

(e-3) Same as Senate version.

(h) Same as House version.

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for the school year in which the assessment instrument is administered.

(b) This section applies beginning with the 2013-2014 school year.

SECTION 33. (a) Section 39.0232, Education Code, is amended.

(b) This section applies beginning with the 2013-2014 school year.

SECTION 34. (a) Sections 39.0233(a) and (b), Education Code, are amended to read as follows:

(a) The agency, in coordination with the Texas Higher Education Coordinating Board, shall adopt a series of questions to be included in an end-of-course assessment instrument administered under Sections ~~[Section]~~ 39.023(c) and (c-2) to be used for purposes of Section 51.3062. The questions adopted under this subsection must be developed in a manner consistent with any college readiness standards adopted under Sections 39.233 ~~[39.113]~~ and 51.3062.

(b) In addition to the questions adopted under Subsection (a), the agency shall adopt a series of questions to be included in an end-of-course assessment instrument administered under Sections ~~[Section]~~ 39.023(c) and (c-2) to be used for purposes of identifying students who are likely to succeed in an advanced high school course. A school district shall notify a student who performs at a high level on the questions adopted under this subsection and the student's parent or guardian of the student's performance and potential to succeed in an advanced high school course. A school district may not

(b) Same as House version.

SECTION 27. Same as House version.

SECTION 28. (a) Section 39.0233(a), Education Code, is amended to read as follows:

(a) The agency, in coordination with the Texas Higher Education Coordinating Board, shall adopt a series of questions to be included in an end-of-course assessment instrument administered under Section 39.023(c) to be used for purposes of Section 51.3062. The questions adopted under this subsection must be developed in a manner consistent with any college readiness standards adopted under Sections 39.233 ~~[39.113]~~ and 51.3062.

No equivalent provision.

(b) Same as House version.

SECTION 32. Same as House version.

SECTION 33. Same as Senate version.

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require a student to perform at a particular level on the questions adopted under this subsection in order to be eligible to enroll in an advanced high school course.		
(b) This section applies beginning with the 2013-2014 school year.	(b) This section applies beginning with the 2013-2014 school year.	
SECTION 35. (a) Section 39.024(b), Education Code, is amended to read as follows: (b) The agency and the Texas Higher Education Coordinating Board shall ensure that the Algebra II and English III end-of-course assessment instruments <u>adopted</u> [required] under Section <u>39.023(c-2)</u> [39.023(e)] are developed to be capable of, beginning with the 2011-2012 school year, measuring college readiness.	No equivalent provision but see SECTION 66 below repealing Sec. 39.024(b).	Same as Senate version.
(b) This section applies beginning with the 2013-2014 school year.		
SECTION 36. (a) Section 39.0241(a-2), Education Code, is amended to read as follows: (a-2) For the purpose of establishing performance across grade levels, the commissioner shall establish: (1) the performance standards for the Algebra II and English III end-of-course assessment instruments, as provided under Section 39.024(b) and under Subsection (a); (2) the performance standards for the Algebra I and English II end-of-course assessment instruments, as determined based on studies under Section 39.0242 that correlate student performance on the Algebra I and English II end-of-course assessment instruments with student performance on the Algebra II and English III assessment instruments;	No equivalent provision but see SECTION 66 below repealing Sec. 39.0241(a-2).	Same as Senate version.

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<p>(3) [the performance standards for the English I end-of-course assessment instrument, as determined based on studies under Section 39.0242 that correlate student performance on the English I end-of-course assessment instrument with student performance on the English II assessment instrument;</p> <p>[(4)] the performance standards for the grade eight assessment instruments, as determined based on studies under Section 39.0242 that correlate student performance on the grade eight assessment instruments with student performance on the Algebra I and English II [(4)] end-of-course assessment instruments in the same content area; and</p> <p>(4) [(5)] the performance standards on the assessment instruments in each of grades three through seven, as determined based on studies under Section 39.0242 that correlate student performance in the same content area on the assessment instrument for each grade with student performance on the assessment instrument in the succeeding grade.</p> <p>(b) This section applies beginning with the 2013-2014 school year.</p>		
<p>SECTION 37. (a) Section 39.0242(b), Education Code, is amended to read as follows:</p> <p>(b) Before the beginning of the 2011-2012 school year, the agency shall analyze the data collected under Subsection (a) to substantiate:</p> <p>(1) the correlation between satisfactory student performance for each performance standard under Section 39.0241 on the grade three, four, five, six, or seven assessment instruments with satisfactory performance under the same performance standard on the assessment instruments in the same content</p>	<p>No equivalent provision but see SECTION 66 below repealing Sec. 39.0242.</p>	<p>Same as Senate version.</p>

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area for the next grade level;

(2) the correlation between satisfactory student performance for each performance standard under Section 39.0241 on the grade eight assessment instruments with satisfactory performance under the same performance standard on the Algebra I and English II [4] end-of-course assessment instruments in the same content area;

~~(3) [the correlation between satisfactory student performance for each performance standard under Section 39.0241 on the English I end-of-course assessment instrument with satisfactory performance under the same performance standard on the English II end-of-course assessment instrument];~~

[(4)] the correlation between satisfactory student performance for each performance standard under Section 39.0241 on the English II end-of-course assessment instrument with satisfactory performance under the same performance standard on the English III end-of-course assessment instrument; and

(4) ~~[(5)]~~ the correlation between satisfactory student performance for each performance standard under Section 39.0241 on the Algebra I end-of-course assessment instrument with satisfactory performance under the same performance standard on the Algebra II end-of-course assessment instrument.

(b) This section applies beginning with the 2013-2014 school year.

No equivalent provision but see SECTION 38 below.

SECTION __. Subchapter B, Chapter 39, Education Code, is amended by adding Section 39.0238 to read as follows:
Sec. 39.0238. ADOPTION AND ADMINISTRATION OF

SECTION 34. Substantially the same as Senate version.

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POSTSECONDARY READINESS ASSESSMENT INSTRUMENTS. (a) In addition to other assessment instruments adopted and developed under this subchapter, the agency shall adopt or develop appropriate postsecondary readiness assessment instruments for Algebra II and English III that a school district may administer at the district's option. [FA25(1)]

(b) To the extent practicable, the agency shall ensure that each postsecondary readiness assessment instrument:

(1) assesses essential knowledge and skills and growth;

(2) is developed in a manner that measures a student's performance under the college readiness standards established under Section 28.008; and

(3) is validated by national postsecondary education experts for college readiness content and performance standards. [FA25(1)]

(c) In adopting a schedule for the administration of postsecondary readiness assessment instruments under this section, the State Board of Education shall require the annual administration of the postsecondary readiness assessment instruments to occur not earlier than the second full week in May. [FA25(1)]

(d) The agency shall adopt a policy requiring each school district that elects to administer postsecondary readiness assessment instruments under Subsection (a) to annually:

(1) administer the applicable postsecondary readiness assessment instrument to each student enrolled in a course for which a postsecondary readiness assessment instrument is adopted or developed under Subsection (a), including applied Algebra II; and

(2) report the results of the postsecondary readiness assessment instruments to the agency. [FA25(1)]

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(e) The agency shall annually deliver a report to the governor, the lieutenant governor, the speaker of the house of representatives, and the presiding officers of the standing committees of the legislature with jurisdiction over public education. The report must include a summary of student performance on the preceding year's postsecondary readiness assessment instruments. [FA25(1)]

(f) The results of a postsecondary readiness assessment instrument administered under this section shall not be used by:

(1) the agency for accountability purposes for a school campus or school district;

(2) A school district:

(a) for the purpose of teacher evaluations, or

(b) in determining a student's final course grade or determining a student's class rank for the purpose of high school graduation.

(3) an institution of higher education:

(a) for admission purposes, or

(b) to determine eligibility for a TEXAS grant. [FA25(1),FA26]

(f-1) A school district may not administer an additional benchmark assessment instrument solely for the purpose of preparing for a postsecondary readiness assessment instrument administered under this section. In this subsection, "benchmark assessment instrument" means a district-required assessment designed to prepare students for a postsecondary readiness assessment instrument administered under this section. [FA25(1),FA29]

(g) The agency shall acknowledge a school district that elects to administer the postsecondary readiness assessment instruments as provided by Subsection (a). [FA25(1)]

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No equivalent provision.

SECTION 38. Subchapter B, Chapter 39, Education Code, is amended by adding Section 39.0243, COLLEGE READINESS ASSESSMENT STUDY.

SECTION 39. (a) Section 39.025, Education Code, is amended by amending Subsections (a), (a-1), (a-2), (b), and (b-2) and adding Subsection (a-4) to read as follows:

(a) The commissioner shall adopt rules requiring a student participating in the recommended or advanced high school program to be administered each end-of-course assessment instrument listed in Section 39.023(c) and requiring a student participating in the minimum high school program to be administered an end-of-course assessment instrument listed in Section 39.023(c) only for a course in which the student is enrolled and for which an end-of-course assessment instrument is administered. A student is required to achieve[; in each subject in the foundation curriculum under Section 28.002(a)(1), a cumulative score that is at least equal to the product of the number of end of course assessment instruments administered to the student in that subject and] a scale score that indicates satisfactory performance, as determined by the commissioner under Section 39.0241(a), on each end-of-course assessment instrument listed under Section 39.023(c) that is administered to the student as provided by this subsection. For each scale score required under this subsection that is not based on a 100-point scale scoring system, the commissioner shall provide for conversion, in accordance with commissioner rule, of the scale score to an

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No equivalent provision.

No equivalent provision but see added Section 39.0238 above.

SECTION 29. (a) Section 39.025, Education Code, is amended by amending Subsections (a), (a-1), (a-2), (b), and (b-2) and adding Subsection (a-4) to read as follows: [FA2(3)]

(a) Same as House version.

CONFERENCE

2015-2016

(b) This section applies beginning with the ~~2014-2015~~ school year.

Same as Senate version.

SECTION 35. Same as House version except as follows:

(a) Same as House version.

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~~equivalent score based on a 100-point scale scoring system. [A student must achieve a minimum score as determined by the commissioner to be within a reasonable range of the scale score under Section 39.0241(a) on an end-of-course assessment instrument for the score to count towards the student's cumulative score. For purposes of this subsection, a student's cumulative score is determined using the student's highest score on each end-of-course assessment instrument administered to the student.] A student may not receive a high school diploma until the student has performed satisfactorily on [the] end-of-course assessment instruments in the manner provided under this subsection. This subsection does not require a student to demonstrate readiness to enroll in an institution of higher education.~~

(a-1) *A student enrolled in a college preparatory course under Section 28.014 who satisfies the Texas Success Initiative (TSI) college readiness benchmarks prescribed by the Texas Higher Education Coordinating Board under Section 51.3062(f) on an assessment instrument designated by the Texas Higher Education Coordinating Board under Section 51.3062(c) administered at the end of the college preparatory course satisfies the requirements concerning an end-of-course assessment in an equivalent course as prescribed by Subsection (a).*

The commissioner ~~[by rule]~~ shall determine a method by which a student's satisfactory performance on an advanced placement test, an international baccalaureate examination, an SAT Subject Test, the SAT, the ACT, or any nationally recognized norm-referenced ~~[another]~~ assessment instrument used by institutions of higher education to award course credit based on satisfactory performance on the ~~[determined by the~~

(a-1)

The commissioner ~~[by rule]~~ shall determine a method by which a student's satisfactory performance on an advanced placement test, an international baccalaureate examination, an SAT Subject Test, the SAT, the ACT, or any nationally recognized norm-referenced ~~[another]~~ assessment instrument used by institutions of higher education to award course credit based on satisfactory performance on the ~~[determined by the~~

(a-1) Same as House version.

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~~commissioner to be at least as rigorous as an end-of-course~~
assessment instrument ~~shall [adopted under Section 39.023(e)~~
~~may]~~ be used to satisfy [as a factor in determining whether the
~~student satisfies]~~ the requirements concerning an end-of-
course assessment instrument in an equivalent course as
prescribed by [øf] Subsection (a)[, including the cumulative
score requirement of that subsection]. The commissioner shall
~~[by rule may]~~ determine a method by which a student's
satisfactory performance on the PSAT [a Preliminary
Scholastic Assessment Test (PSAT) assessment] or the ACT-
Plan shall [a preliminary American College Test (ACT)
assessment may] be used to satisfy [as a factor in determining
~~whether the student satisfies]~~ the requirements concerning an
end-of-course assessment instrument in an equivalent course
as prescribed by [øf] Subsection (a). A student who fails to
perform satisfactorily on a test or other assessment instrument
authorized under this subsection, other than the PSAT or the
ACT-Plan, may retake that test or other assessment instrument
for purposes of this subsection or may take the appropriate
end-of-course assessment instrument. A student who fails to
perform satisfactorily on the PSAT or the ACT-Plan must take
the appropriate end-of-course assessment instrument. The
commissioner shall adopt rules as necessary for the
administration of this subsection.

(a-2) This subsection applies only to a student who, before
entering the ninth grade in the 2011-2012 or 2012-2013
school year, completed a course before the 2011-2012 school
year in a subject for which the student received high school
credit and for which an end-of-course assessment instrument
under Section 39.023 is required during the 2013-2014 school
year or a later school year, such as Algebra I. The

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~~commissioner to be at least as rigorous as an end-of-course~~
assessment instrument ~~shall [adopted under Section 39.023(e)~~
~~may]~~ be used to satisfy [as a factor in determining whether the
~~student satisfies]~~ the requirements concerning an end-of-
course assessment instrument in an equivalent course as
prescribed by [øf] Subsection (a)[, including the cumulative
score requirement of that subsection]. The commissioner shall
~~[by rule may]~~ determine a method by which a student's
satisfactory performance on the PSAT or the ACT-Plan shall
~~[a Preliminary Scholastic Assessment Test (PSAT) assessment~~
~~or a preliminary American College Test (ACT) assessment~~
~~may]~~ be used to satisfy [as a factor in determining whether the
~~student satisfies]~~ the requirements concerning an end-of-
course assessment instrument in an equivalent course as
prescribed by [øf] Subsection (a). A student who fails to
perform satisfactorily on a test or other assessment instrument
authorized under this subsection, other than the PSAT or the
ACT-Plan, may retake that test or other assessment instrument
for purposes of this subsection or may take the appropriate
end-of-course assessment instrument. A student who fails to
perform satisfactorily on the PSAT or the ACT-Plan must take
the appropriate end-of-course assessment instrument. The
commissioner shall adopt rules as necessary for the
administration of this subsection. [FA2(4)]

(a-2) Same as House version.

CONFERENCE

No equivalent provision.

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commissioner shall determine a method by which a student's satisfactory performance on an end-of-course assessment instrument for a course in the same general subject area in which the student is enrolled during or after the ninth grade, such as geometry, shall be used to satisfy the requirements for the end-of-course assessment instrument for the course completed before entering the ninth grade and before the 2011-2012 school year. The commissioner shall adopt rules as necessary for the administration of this section. This subsection expires September 1, 2016 [In addition to the cumulative score requirements under Subsection (a), a student must achieve a score that meets or exceeds the score determined by the commissioner under Section 39.0241(a) for English III and Algebra II end-of-course assessment instruments to graduate under the recommended high school program].

(a-4) The admission, review, and dismissal committee of a student in a special education program under Subchapter A, Chapter 29, shall determine whether, to receive a high school diploma, the student is required to achieve satisfactory performance on end-of-course assessment instruments.

(b) Each time an end-of-course assessment instrument adopted under Section 39.023(c) is administered, a student who failed to achieve a [minimum] score requirement under Subsection (a) may [shall] retake the assessment instrument. A student who fails to perform satisfactorily on an Algebra II or English III end-of-course assessment instrument under the college readiness performance standard, as provided under Section 39.024(b), may retake the assessment instrument. [Any other student may retake an end-of-course assessment instrument]

(a-4) Same as House version.

(b) Same as House version.

(a-4) Same as House version.

(b) Same as House version.

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~~for any reason.~~ A student is not required to retake a course as a condition of retaking an end-of-course assessment instrument.

(b-2) If a school district determines that a student, on completion of grade 11, is unlikely to achieve the ~~[cumulative]~~ score requirement under *this section* ~~[requirements]~~ for one or more end-of-course assessment instruments ~~[subjects]~~ prescribed under [by] Subsection (a) for receiving a high school diploma, the district shall require the student to enroll in a corresponding content-area college preparatory course for which an end-of-course assessment instrument has been adopted, if available. A student who enrolls in a college preparatory course described by this subsection shall be administered an end-of-course assessment instrument for the course, with the end-of-course assessment instrument scored on a scale as determined by the commissioner ~~[not to exceed 20 percent of the cumulative score requirements required to graduate as determined under Subsection (a)].~~ A student may use the student's score on the end-of-course assessment instrument for the college preparatory course towards satisfying the ~~[cumulative]~~ score requirement under *this section* ~~[requirements prescribed by Subsection (a)].~~

(b) This section applies beginning with the 2013-2014 school year.

SECTION 40. (a) Effective September 1, 2014, Section 39.025(a), Education Code, is amended.

(b) This section applies beginning with the 2014-2015 school year.

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(b-2) If a school district determines that a student, on completion of grade 11, is unlikely to achieve the ~~[cumulative]~~ score requirement under *Subsection (a)* ~~[requirements]~~ for one or more end-of-course assessment instruments *administered to the student as provided* ~~[subjects prescribed]~~ by Subsection (a) for receiving a high school diploma, the district shall require the student to enroll in a corresponding content-area college preparatory course for which an end-of-course assessment instrument has been adopted, if available. A student who enrolls in a college preparatory course described by this subsection shall be administered an end-of-course assessment instrument for the course, with the end-of-course assessment instrument scored on a scale as determined by the commissioner ~~[not to exceed 20 percent of the cumulative score requirements required to graduate as determined under Subsection (a)].~~ A student may use the student's score on the end-of-course assessment instrument for the college preparatory course towards satisfying the ~~[cumulative]~~ score requirement ~~[requirements]~~ *prescribed by Subsection (a).* [FA2(5)]

(b) Same as House version.

SECTION 30. Same as House version.

CONFERENCE

(b-2) Same as Senate version.

(b) Same as House version.

SECTION 36. Same as House version.

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No equivalent provision but see SECTION 41 below.	SECTION 31. (a) Section 39.0261, Education Code, is amended by amending Subsections (a) and (e) and adding Subsection (a-1). (b) This section applies beginning with the 2013-2014 school year. [FA7]	Same as House version.
SECTION 41. (a) Subchapter B, Chapter 39, Education Code, is amended by adding Section 39.0263, ADMINISTRATION OF DISTRICT-REQUIRED BENCHMARK ASSESSMENT INSTRUMENTS TO PREPARE STUDENTS FOR STATE-ADMINISTERED ASSESSMENT INSTRUMENTS. (b) This section applies beginning with the 2013-2014 school year.	SECTION 32. Same as House version.	SECTION 37. Same as House version.
SECTION 42. (a) Section 39.027, Education Code, is amended by adding Subsection (a-2). (b) This section applies beginning with the 2013-2014 school year.	SECTION 33. Same as House version.	SECTION 38. Same as House version.
SECTION 43. (a) Sections 39.034(a) and (c), Education Code, are amended. (b) This section takes effect beginning with the 2013-2014 school year.	No equivalent provision.	Same as Senate version.
SECTION 44. (a) Section 39.035(a), Education Code, is amended. (b) This section applies beginning with the 2013-2014 school year.	No equivalent provision.	Same as Senate version.
No equivalent provision.	SECTION 34. (a) Section 39.0301, Education Code, is amended by adding Subsection (a-1) to read as follows:	SECTION 39. Substantially the same as Senate version.

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(a-1) In establishing procedures for the administration of assessment instruments under Subsection (a)(1), the commissioner shall ensure that the procedures are designed to minimize disruptions to school operations and the classroom environment. In implementing the procedures established for the administration of assessment instruments under Subsection (a)(1), a school district shall minimize disruptions to school operations and the classroom environment.

No equivalent provision.

(b) This section applies beginning with the 2013-2014 school year.

Same as House version.

SECTION 45. Subchapter B, Chapter 39, Education Code, is amended by adding Section 39.038 to read as follows:

Sec. 39.038. RESTRICTION ON APPOINTMENTS TO ADVISORY COMMITTEES. The commissioner may not appoint a person to a committee or panel that advises the commissioner or agency regarding state accountability systems under this title or the content or administration of an assessment instrument if the person is *reimbursed*, retained, or employed by an assessment instrument vendor.

SECTION 35. Same as House version.

SECTION 40. Same as House version except omits the specification that an appointment to an advisory committee or panel is prohibited if the person is *reimbursed* by an assessment instrument vendor.

SECTION 46. (a) Subchapter B, Chapter 39, Education Code, is amended by adding Section 39.039, PROHIBITION ON POLITICAL CONTRIBUTION OR ACTIVITY BY CERTAIN CONTRACTORS.

(b) This section applies September 1, 2013.

SECTION 36. Same as House version.

SECTION 41. Same as House version.

SECTION 47. (a) Section 39.053, Education Code, is amended by amending Subsections (c) and (g-1) and adding Subsections (c-1) and (d-2) to read as follows:

SECTION 37. (a) Section 39.053, Education Code, is amended by amending Subsections (c) and (g-1) and adding Subsections (c-1) and (c-2) to read as follows:

SECTION 42. Same as House version except as follows:

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(c) Indicators of student achievement adopted under this section must include:

(1) the results of assessment instruments required under Sections 39.023(a), (c), and (l), including the results of assessment instruments required for graduation retaken by a student, aggregated across grade levels by subject area, including:

(A) for the performance standard determined by the commissioner under Section 39.0241(a):

(i) the percentage of students who performed satisfactorily on the assessment instruments, aggregated across grade levels by subject area; and

(ii) for students who did not perform satisfactorily, the percentage of students who met the standard for annual improvement, as determined by the agency under Section 39.034, on the assessment instruments, aggregated across grade levels by subject area; and

(B) for the college readiness performance standard as determined under Section 39.0241:

(i) the percentage of students who performed satisfactorily on the assessment instruments, aggregated across grade levels by subject area; and

(ii) for students who did not perform satisfactorily, the percentage of students who met the standard for annual improvement, as determined by the agency under Section 39.034, on the assessment instruments, aggregated across grade levels by subject area;

(2) dropout rates, including dropout rates and district completion rates for grade levels 9 through 12, computed in accordance with standards and definitions adopted by the National Center for Education Statistics of the United States Department of Education; ~~and~~

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(c) Indicators of student achievement adopted under this section must include:

(1) the results of assessment instruments required under Sections 39.023(a), (c), and (l), including the results of assessment instruments required for graduation retaken by a student, aggregated across grade levels by subject area, including:

(A) for the performance standard determined by the commissioner under Section 39.0241(a):

(i) the percentage of students who performed satisfactorily on the assessment instruments, aggregated across grade levels by subject area; and

(ii) for students who did not perform satisfactorily, the percentage of students who met the standard for annual improvement, as determined by the agency under Section 39.034, on the assessment instruments, aggregated across grade levels by subject area; and

(B) for the college readiness performance standard as determined under Section 39.0241:

(i) the percentage of students who performed satisfactorily on the assessment instruments, aggregated across grade levels by subject area; and

(ii) for students who did not perform satisfactorily, the percentage of students who met the standard for annual improvement, as determined by the agency under Section 39.034, on the assessment instruments, aggregated across grade levels by subject area;

(2) dropout rates, including dropout rates and district completion rates for grade levels 9 through 12, computed in accordance with standards and definitions adopted by the National Center for Education Statistics of the United States Department of Education; ~~and~~

CONFERENCE

(c) Same as House version.

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(3) high school graduation rates, computed in accordance with standards and definitions adopted in compliance with the No Child Left Behind Act of 2001 (20 U.S.C. Section 6301 et seq.);

(4) the percentage of students who successfully completed the curriculum requirements for the distinguished level of achievement under the foundation high school program;

(5) the percentage of students who successfully completed the curriculum requirements for an endorsement under Section 28.025(c-1); and

(6) at least three additional indicators of student achievement to evaluate district and campus performance, which must include either:

(A) the percentage of students who satisfy the Texas Success Initiative (TSI) college readiness benchmarks prescribed by the Texas Higher Education Coordinating Board under Section 51.3062(f) on an assessment instrument in reading, writing, or mathematics designated by the Texas Higher Education Coordinating Board under Section 51.3062(c); or

(B) the number of students who earn:

(i) at least 12 hours of postsecondary credit required for the foundation high school program under Section 28.025 or to earn an endorsement under Section 28.025(c-1);

(ii) at least 30 hours of postsecondary credit required for the foundation high school program under Section 28.025 or to earn an endorsement under Section 28.025(c-1);

(iii) an associate's degree; or

(iv) an industry certification.

(A) An indicator adopted under this *subsection* that would measure improvements in student achievement cannot negatively affect the commissioner's review of a school district or campus if that district or campus is already

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(3) high school graduation rates, computed in accordance with standards and definitions adopted in compliance with the No Child Left Behind Act of 2001 (20 U.S.C. Section 6301 et seq.);

(4) the percentage of students who successfully completed the curriculum requirements for an endorsement under Section 28.025(c-1); and

(5) at least three additional indicators of student achievement to evaluate district and campus performance, which must include either:

(A) the percentage of students who satisfy the Texas Success Initiative (TSI) college readiness benchmarks prescribed by the Texas Higher Education Coordinating Board under Section 51.3062(f) on an assessment instrument in reading, writing, or mathematics designated by the Texas Higher Education Coordinating Board under Section 51.3062(c); or

(B) the number of students who earn:

(i) at least 12 hours of postsecondary credit required for the foundation high school program under Section 28.025 or to earn an endorsement under Section 28.025(c-1);

(ii) at least 30 hours of postsecondary credit required for the foundation high school program under Section 28.025 or to earn an endorsement under Section 28.025(c-1);

(iii) an associate's degree; or

(iv) an industry certification.

(c-1) An indicator adopted under this *section* that would measure improvements in student achievement cannot negatively affect the commissioner's review of a school district or campus if that district or campus is already

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(c-1) Substantially the same as House version.

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achieving at the highest level for that indicator.

(c-1) The commissioner by rule shall determine a method by which a student's performance may be included in determining the performance rating of a school district or campus under Section 39.054 if, before the student graduates, the student:

(1) satisfies the Texas Success Initiative (TSI) college readiness benchmarks prescribed by the Texas Higher Education Coordinating Board under Section 51.3062(f) on an assessment instrument designated by the Texas Higher Education Coordinating Board under Section 51.3062(c); or
(2) performs satisfactorily on an assessment instrument under Section 39.023(c), notwithstanding Subsection (d).

(d-2) An end-of-course assessment instrument adopted under Section 39.023(c-2) may not be used as an indicator of student achievement in determining the performance rating of a school district or campus under Section 39.054.

(g-1) In computing dropout and completion rates under Subsection (c)(2), the commissioner shall exclude:

(1) students who are ordered by a court to attend a high school equivalency certificate program but who have not yet earned a high school equivalency certificate;

(2) students who were previously reported to the state as dropouts, including a student who is reported as a dropout, reenrolls, and drops out again, regardless of the number of times of reenrollment and dropping out;

(3) students in attendance who are not in membership for purposes of average daily attendance;

(4) students whose initial enrollment in a school in the United States in grades 7 through 12 was as unschooled refugees or

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achieving at the highest level for that indicator.

(c-2) Same as House version.

No equivalent provision.

(g-1) Same as House version.

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(c-2) Same as House version.

Same as Senate version.

(g-1) Same as House version.

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asylees as defined by Section 39.027(a-1);

(5) students who are in the district exclusively as a function of having been detained at a county detention facility but are otherwise not students of the district in which the facility is located; and

(6) students who are incarcerated in state jails and federal penitentiaries as adults and as persons certified to stand trial as adults.

(b) This section applies beginning with the 2013-2014 school year.

SECTION 48. (a) Section 39.053(f), Education Code, is amended.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 49. (a) Sections 39.054(a) and (b), Education Code, are amended to read as follows:

(a) The commissioner shall adopt rules to evaluate school district and campus performance and ~~[not later than August 8 of each year]~~ assign each district and campus a performance rating of A, B, C, D, or F. In adopting rules under this subsection, the commissioner shall determine the criteria for each designated letter performance rating and designate A, B, and C letter performance ratings as reflecting ~~[that reflects]~~ acceptable performance and the D and F letter performance ratings as reflecting ~~[or]~~ unacceptable performance. Not later than August 8 of each year, the performance rating of each district and campus shall be made publicly available as provided by rules adopted under this subsection. If a district or campus received a performance rating of unacceptable

(b) Same as House version.

SECTION 38. Same as House version.

SECTION __. (a) Section 39.054(a), Education Code, is amended to read as follows:

(a) The commissioner shall adopt rules to evaluate school district and campus performance and, not later than August 8 of each year, assign each district ~~[and campus]~~ a performance rating of A, B, C, D, or F. In adopting rules under this subsection, the commissioner shall determine the criteria for each designated letter performance rating. A district performance rating of A, B, or C ~~[that]~~ reflects acceptable performance and a district performance rating of D or F reflects ~~[or]~~ unacceptable performance. Not later than August 8 of each year, the commissioner shall also assign each campus a performance rating of exemplary, recognized, acceptable, or unacceptable. A campus performance rating of exemplary, recognized, or acceptable reflects acceptable

(b) Same as House version.

SECTION 43. Same as House version.

SECTION 44. Same as Senate version except *omits deadline for the commissioner's assignment of a performance rating of exemplary, recognized, acceptable, or unacceptable; prohibits a district from receiving an A performance rating if the district includes any campus with a performance rating of unacceptable; requires the performance rating of each district and campus to be made publicly available as provided by rule not later than August 8 of each year; and makes SECTION 44 applicable beginning with the 2016-2017 school year.*

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performance for the preceding school year, the commissioner shall notify the district of a subsequent such designation on or before June 15.

(b) In evaluating performance, the commissioner shall evaluate against state standards and consider the performance of each campus in a school district and each open-enrollment charter school on the basis of the campus's or school's performance on the student achievement indicators adopted under Section 39.053, other than, to the greatest extent possible, the student achievement indicator adopted under Section 39.053(c)(1) [39.053(e)].

(b) This section applies beginning with the 2013-2014 school year.

SECTION 50. (a) Subchapter C, Chapter 39, Education Code, is amended by adding Section 39.0541, STANDARDS FOR EVALUATING COMPLETION AND DROPOUT RATES. (b) This section applies beginning with the 2013-2014 school year.

SECTION 51. (a) Subchapter C, Chapter 39, Education Code, is amended by adding Section 39.0545 to read as follows:
Sec. 39.0545. SCHOOL DISTRICT EVALUATION OF PERFORMANCE IN COMMUNITY AND STUDENT ENGAGEMENT; COMPLIANCE.

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performance, and a campus performance rating of unacceptable reflects unacceptable performance. If a district or campus received a performance rating that reflected [of] unacceptable performance for the preceding school year, the commissioner shall notify the district of a subsequent such designation on or before June 15. [FA10]

No equivalent provision.

(b) Same as House version. [FA10]

SECTION 39. No equivalent provision. [Deleted by FA8]

No equivalent provision but see added Section 39.0542 below.

CONFERENCE

SECTION 45. (a) Same as House version.

(b) Same as House version.

Same as Senate version.

SECTION 46. Same as House version except as follows:

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(a) Each school district shall evaluate the district's performance and the performance of each campus in the district in community and student engagement and in compliance as provided by this section and assign the district and each campus *an acceptable performance rating of A, B, or C, or an unacceptable performance rating of D or F* for both overall performance and each individual evaluation factor listed under Subsection (b). Not later than August 8 of each year, the district shall report each performance rating to the agency and make the performance ratings publicly available as provided by commissioner rule.

(b) For purposes of assigning the performance ratings under Subsection (a), a school district must evaluate:

(1) the following programs or specific categories of performance at each campus:

(A) fine arts;

(B) wellness and physical education;

(C) community and parental involvement, such as:

(i) opportunities for parents to assist students in preparing for assessments under Section 39.023;

(ii) tutoring programs that support students taking assessments under Section 39.023; and

(iii) opportunities for students to participate in community service projects;

(D) the 21st Century Workforce Development program;

(E) the second language acquisition program;

(F) the digital learning environment;

(G) dropout prevention strategies; and

(H) educational programs for gifted and talented students; and

(2) the record of the district and each campus regarding compliance with statutory reporting and policy requirements.

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No equivalent provision.

No equivalent provision.

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(a) Each school district shall evaluate the district's performance and the performance of each campus in the district in community and student engagement and in compliance as provided by this section and assign the district and each campus *a performance rating of exemplary, recognized, acceptable, or unacceptable* for both overall performance and each individual evaluation factor listed under Subsection (b). Not later than August 8 of each year, the district shall report each performance rating to the agency and make the performance ratings publicly available as provided by commissioner rule.

(b) Same as House version.

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(c) A school district shall use criteria developed by the commissioner as described by Subsection (d)(1) in conjunction with criteria developed by a local committee established as provided by Subsection (d)(2) to evaluate the performance of a campus under Subsection (b)(1).

(d) The commissioner shall:

(1) in accordance with commissioner rule, establish a separate committee that includes members as described by Sections 39.204(c) and (d) to develop criteria for each program or category of performance under Subsection (b)(1) in the manner provided for developing criteria for a distinction designation under Section 39.204(e); and
(2) by commissioner rule, prescribe requirements for school districts to use to establish a local committee to develop district criteria.

(b) This section applies beginning with the 2013-2014 school year.

No equivalent provision, but see SECTION 51 above.

SECTION 52. (a) Section 39.056, Education Code, is amended by amending Subsections (d) and (e) and adding Subsection (f) to read as follows:

(d) The agency shall give written notice to the superintendent and the board of trustees of a school district of any impending investigation of the district's accreditation.

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No equivalent provision.

No equivalent provision.

No equivalent provision.

SECTION __. Subchapter C, Chapter 39, Education Code, is amended by adding Section 39.0542, STANDARDS FOR EVALUATING DROPOUT RECOVERY SCHOOLS.
[FA23]

SECTION 40. Substantially the same as House version except omits text of unamended Subsections (d) and (e).

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(c) A school district shall use criteria developed by a local committee to evaluate:
(1) the performance of the district's campus programs and categories of performance under Subsection (b)(1); and
(2) the record of the district and each campus regarding compliance under Subsection (b)(2).

Same as Senate version.

(b) Same as House version.

Same as House version.

SECTION 47. Same as Senate version.

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(e) The investigators shall report orally and in writing to the board of trustees of the school district and, as appropriate, to campus administrators and shall make recommendations concerning any necessary improvements or sources of aid such as regional education service centers.

(f) A district which takes action with regard to the recommendations provided by the investigators as prescribed by Subsection (e) shall make a reasonable effort to seek assistance from a third party in developing an action plan to improve district performance using improvement techniques that are goal oriented and research based.

SECTION 53. (a) Section 39.057(a), Education Code, is amended to read as follows:

(a) The commissioner shall authorize special accreditation investigations to be conducted:

- (1) when excessive numbers of absences of students eligible to be tested on state assessment instruments are determined;
- (2) when excessive numbers of allowable exemptions from the required state assessment instruments are determined;
- (3) in response to complaints submitted to the agency with respect to alleged violations of civil rights or other requirements imposed on the state by federal law or court order;
- (4) in response to established compliance reviews of the district's financial accounting practices and state and federal program requirements;
- (5) when extraordinary numbers of student placements in disciplinary alternative education programs, other than placements under Sections 37.006 and 37.007, are determined;
- (6) in response to an allegation involving a conflict between members of the board of trustees or between the board and the

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SECTION 41. (a) Section 39.057(a), Education Code, is amended to read as follows:

(a) The commissioner shall authorize special accreditation investigations to be conducted:

- (1) when excessive numbers of absences of students eligible to be tested on state assessment instruments are determined;
- (2) when excessive numbers of allowable exemptions from the required state assessment instruments are determined;
- (3) in response to complaints submitted to the agency with respect to alleged violations of civil rights or other requirements imposed on the state by federal law or court order;
- (4) in response to established compliance reviews of the district's financial accounting practices and state and federal program requirements;
- (5) when extraordinary numbers of student placements in disciplinary alternative education programs, other than placements under Sections 37.006 and 37.007, are determined;
- (6) in response to an allegation involving a conflict between members of the board of trustees or between the board and the

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SECTION 48. Same as Senate version.

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district administration if it appears that the conflict involves a violation of a role or duty of the board members or the administration clearly defined by this code;

(7) when excessive numbers of students in special education programs under Subchapter A, Chapter 29, are assessed through assessment instruments developed or adopted under Section 39.023(b);

(8) in response to an allegation regarding or an analysis using a statistical method result indicating a possible violation of an assessment instrument security procedure established under Section 39.0301, including for the purpose of investigating or auditing a school district under that section;

(9) when a significant pattern of decreased academic performance has developed as a result of the promotion in the preceding two school years of students who did not perform satisfactorily as determined by the commissioner under Section 39.0241(a) on assessment instruments administered under Section 39.023(a), (c), or (l);

(10) ~~[when excessive numbers of students graduate under the minimum high school program;~~

~~[(+)]~~ when excessive numbers of students eligible to enroll fail to complete an advanced mathematics ~~[Algebra II]~~ course or any other advanced course determined by the commissioner ~~[as distinguishing between students participating in the recommended high school program from students participating in the minimum high school program];~~

~~(11) [(+2)]~~ when resource allocation practices as evaluated under Section 39.0821 indicate a potential for significant improvement in resource allocation; ~~[or]~~

~~(12) when a disproportionate number of students of a particular demographic group is graduating with a particular category of~~ endorsement under Section 28.025(c-1);

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district administration if it appears that the conflict involves a violation of a role or duty of the board members or the administration clearly defined by this code;

(7) when excessive numbers of students in special education programs under Subchapter A, Chapter 29, are assessed through assessment instruments developed or adopted under Section 39.023(b);

(8) in response to an allegation regarding or an analysis using a statistical method result indicating a possible violation of an assessment instrument security procedure established under Section 39.0301, including for the purpose of investigating or auditing a school district under that section;

(9) when a significant pattern of decreased academic performance has developed as a result of the promotion in the preceding two school years of students who did not perform satisfactorily as determined by the commissioner under Section 39.0241(a) on assessment instruments administered under Section 39.023(a), (c), or (l);

(10) ~~[when excessive numbers of students graduate under the minimum high school program;~~

~~[(+)]~~ when excessive numbers of students eligible to enroll fail to complete an Algebra II course or any other advanced course as determined by the commissioner ~~[as distinguishing between students participating in the recommended high school program from students participating in the minimum high school program];~~

~~(11) [(+2)]~~ when resource allocation practices as evaluated under Section 39.0821 indicate a potential for significant improvement in resource allocation; ~~[or]~~

~~(12) when a disproportionate number of students of a particular demographic group is graduating with a particular~~ endorsement under Section 28.025(c-1);

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(13) when an excessive number of students is graduating with a particular *category of* endorsement under Section 28.025(c-1); or

(14) [(43)] as the commissioner otherwise determines necessary.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 54. (a) Section 39.082, Education Code, is amended by amending Subsections (a) and (b) and adding Subsections (b-1), (d), (e), (f), (g), (h), (h-1), and (i) to read as follows:

(a) The commissioner shall, in consultation with the comptroller, develop and implement separate financial accountability rating systems for school districts and open-enrollment charter schools in this state that:

(1) distinguish among school districts and distinguish among open-enrollment charter schools, as applicable, based on levels of financial performance; ~~and~~

(2) include procedures to:

(A) provide additional transparency to public education finance; and

(B) enable the commissioner and school district and open-enrollment charter school administrators to provide meaningful financial oversight and improvement; and

(3) include processes for anticipating the future financial solvency of each school district and open-enrollment charter school, including analysis of district and school revenues and expenditures for preceding school years.

(b) The system must include uniform indicators adopted by

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(13) when an excessive number of students is graduating with a particular endorsement under Section 28.025(c-1); or

(14) [(43)] as the commissioner otherwise determines necessary.

(b) This section applies beginning with the 2014-2015 school year.

No equivalent provision.

No equivalent provision.

No equivalent provision.

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SECTION 49. Same as House version except as follows:

(a) Same as House version.

(b) Same as House version.

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~~[the]~~ commissioner rule by which to measure the financial management performance and future financial solvency of a district or open-enrollment charter school. In adopting indicators under this subsection, the commissioner shall assign a point value to each indicator to be used in a scoring matrix developed by the commissioner. Any reference to a teacher in an indicator adopted by the commissioner under this subsection means a classroom teacher.

(b-1) In adopting uniform indicators under Subsection (b), the commissioner by rule shall adopt an indicator that recognizes a school district or open-enrollment charter school that publishes the district's or school's check register on the district's or school's Internet website. A district or school achieves the highest level of financial management performance under this indicator by updating its published check register at least monthly. A district or school that updates its register less frequently achieves a lower level of financial management performance as provided by rule.

(d) The commissioner shall evaluate indicators adopted under Subsection (b) at least once every three years.

(e) Under the financial accountability rating system developed under this section, each school district or open-enrollment charter school, as applicable, shall be assigned a financial accountability rating *of A, B, C, D, or F*. In adopting rules under this section, the commissioner, in consultation with the comptroller, shall determine the criteria for each designated *letter performance rating and designate A, B, and C letter performance ratings as passing ratings and the D and F letter performance ratings as failing ratings.*

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No equivalent provision.

No equivalent provision.

No equivalent provision.

CONFERENCE

Same as Senate version.

(d) Same as House version.

(e) Under the financial accountability rating system developed under this section, each school district or open-enrollment charter school, as applicable, shall be assigned a financial accountability rating. In adopting rules under this section, the commissioner, in consultation with the comptroller, shall determine the criteria for each designated *performance rating.*

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(f) A district or open-enrollment charter school shall receive a **failing** rating under the system if the district or school fails to achieve a satisfactory rating on:

(1) an indicator adopted under Subsection (b) relating to financial management or solvency that the commissioner determines to be critical; or

(2) a category of indicators that suggest trends leading to financial distress as determined by the commissioner.

(g) Before assigning a final rating under the system, the commissioner shall assign each district or open-enrollment charter school a preliminary rating. A district or school may submit additional information to the commissioner relating to any indicator on which performance was considered unsatisfactory. The commissioner shall consider any additional information submitted by a district or school before assigning a final rating. If the commissioner determines that the additional information negates the concern raised by the indicator on which performance was considered unsatisfactory, the commissioner may not penalize the district or school on the basis of the indicator.

(h) The commissioner shall adopt rules for the implementation of this section.

(h-1) The commissioner shall adopt initial rules necessary to implement the changes to this section made by the 83rd Legislature, Regular Session, 2013, not later than March 1, 2015. This subsection expires April 1, 2015.

(i) Not later than August 8 of each year, the financial accountability rating of each school district and open-

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No equivalent provision.

No equivalent provision.

No equivalent provision.

No equivalent provision.

No equivalent provision.

CONFERENCE

(f) A district or open-enrollment charter school shall receive the **lowest** rating under the system if the district or school fails to achieve a satisfactory rating on:

(1) an indicator adopted under Subsection (b) relating to financial management or solvency that the commissioner determines to be critical; or

(2) a category of indicators that suggest trends leading to financial distress as determined by the commissioner.

(g) Same as House version.

(h) Same as House version.

(h-1) Same as House version.

(i) Same as House version.

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<u>enrollment charter school under the financial accountability rating system developed under this section shall be made publicly available as provided by rules adopted under this section.</u>		
(b) This section applies beginning with the 2014-2015 school year.	No equivalent provision.	(b) Same as House version.
SECTION 55. (a) Section 39.0823, Education Code, is amended by amending Subsection (a) and adding Subsection (d). (b) This section applies beginning with the 2014-2015 school year.	SECTION 42. Same as House version.	SECTION 50. Same as House version.
SECTION 56. (a) Subchapter D, Chapter 39, Education Code, is amended by adding Section 39.0824, CORRECTIVE ACTION PLAN. (b) This section applies beginning with the 2014-2015 school year.	SECTION 43. Substantially the same as House version.	SECTION 51. Substantially the same as House version.
SECTION 57. (a) Section 39.083(b), Education Code, is amended. (b) This section applies beginning with the 2014-2015 school year.	SECTION 44. Same as House version.	SECTION 52. Same as House version.
SECTION 58. (a) Section 39.201(a), Education Code, is amended. (b) This section applies beginning with the 2013-2014 school year.	SECTION 45. Same as House version.	SECTION 53. Same as House version.
SECTION 59. (a) Section 39.202, Education Code, is	SECTION 46. (a) Section 39.202, Education Code, is	SECTION 54. Substantially the same as Senate version.

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amended to read as follows:

Sec. 39.202. ACADEMIC ~~[EXCELLENCE]~~ DISTINCTION DESIGNATION FOR DISTRICTS AND CAMPUSES. The commissioner by rule shall establish ~~[a recognized and exemplary rating for awarding districts and campuses]~~ an academic distinction designation for districts and campuses for outstanding performance in attainment of postsecondary readiness [under this subchapter]. ~~The [In establishing the recognized and exemplary ratings, the]~~ commissioner shall adopt criteria for the designation under this section [ratings], including:

(1) percentages of students who:

(A) performed satisfactorily, as determined under the college readiness performance standard under Section 39.0241, on assessment instruments required under Section 39.023(a), (b), (c), or (l) or on end-of-course assessment instruments adopted under Section 39.023(c-2), aggregated across grade levels by subject area; or

(B) met the standard for annual improvement, as determined by the agency under Section 39.034, on assessment instruments required under Section 39.023(a), (b), (c), or (l) or on end-of-course assessment instruments adopted under Section 39.023(c-2), aggregated across grade levels by subject area, for students who did not perform satisfactorily as described by Paragraph (A);

(2) percentages of:

(A) students who earned a nationally or internationally recognized business or industry certification or license;

(B) students who completed a coherent sequence of career and technical courses;

(C) students who completed a dual credit course or an articulated postsecondary course provided for local credit;

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amended to read as follows:

Sec. 39.202. ACADEMIC ~~[EXCELLENCE]~~ DISTINCTION DESIGNATION FOR DISTRICTS AND CAMPUSES. The commissioner by rule shall establish ~~[a recognized and exemplary rating for awarding districts and campuses]~~ an academic distinction designation for districts and campuses for outstanding performance in attainment of postsecondary readiness [under this subchapter]. ~~The [In establishing the recognized and exemplary ratings, the]~~ commissioner shall adopt criteria for the designation under this section [ratings], including:

(1) percentages of students who:

(A) performed satisfactorily, as determined under the college readiness performance standard under Section 39.0241, on assessment instruments required under Section 39.023(a), (b), (c), or (l), aggregated across grade levels by subject area; or

(B) met the standard for annual improvement, as determined by the agency under Section 39.034, on assessment instruments required under Section 39.023(a), (b), (c), or (l), aggregated across grade levels by subject area, for students who did not perform satisfactorily as described by Paragraph (A);

(2) percentages of:

(A) students who earned a nationally or internationally recognized business or industry certification or license;

(B) students who completed a coherent sequence of career and technical courses;

(C) students who completed a dual credit course or an articulated postsecondary course provided for local credit;

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<p><u>(D) students who achieved applicable College Readiness Benchmarks or the equivalent on the Preliminary Scholastic Assessment Test (PSAT), the Scholastic Assessment Test (SAT), the American College Test (ACT), or the ACT-Plan assessment program; and</u></p> <p><u>(E) students who received a score on either an advanced placement test or an international baccalaureate examination to be awarded college credit; and</u></p> <p><u>(3) [(2)] other factors for determining sufficient student attainment of postsecondary readiness.</u></p>	<p><u>(D) students who achieved applicable college readiness benchmarks or the equivalent on the PSAT, the SAT, the ACT, or the ACT-Plan; and</u></p> <p><u>(E) students who received a score on either an advanced placement test or an international baccalaureate examination to be awarded college credit; and</u></p> <p><u>(3) [(2)] other factors for determining sufficient student attainment of postsecondary readiness.</u></p>	
<p>(b) This section applies beginning with the 2013-2014 school year.</p>	<p>(b) Same as House version.</p>	<p>(b) Same as House version.</p>
<p>SECTION 60. (a) Section 39.203, Education Code, is amended.</p> <p>(b) This section applies beginning with the 2013-2014 school year.</p>	<p>SECTION 47. Same as House version.</p>	<p>SECTION 55. Same as House version.</p>
<p>SECTION 61. (a) Section 39.235(b), Education Code, is amended to read as follows:</p> <p>(b) Before awarding a grant under this section, the commissioner may require a campus or school district to:</p> <p>(1) obtain local matching funds; or</p> <p>(2) meet other conditions, including developing a personal graduation plan under Section 28.0212 for each student enrolled at the campus or in a district middle <u>or</u> [r] junior high [r or high] school.</p>	<p>SECTION __. (a) Same as House version. [FA13(6)]</p>	<p>SECTION 56. Substantially the same as House version.</p>
<p>(b) This section applies beginning with the 2014-2015 school year.</p>	<p>No equivalent provision.</p>	<p>(b) Same as House version.</p>

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SECTION 62. (a) Section 39.301(c), Education Code, is amended to read as follows:

(c) Indicators for reporting purposes must include:

(1) the percentage of graduating students who meet the course requirements established *by State Board of Education rule* for;

(A) the foundation [minimum] high school program;

(B) [;] the distinguished level of achievement under the foundation [recommended] high school program[;] and

(C) each endorsement described by Section 28.025 (c-1) [the advanced high school program];

(2) the results of the SAT, ACT, articulated postsecondary degree programs described by Section 61.852, and certified workforce training programs described by Chapter 311, Labor Code;

(3) for students who have failed to perform satisfactorily, under each performance standard under Section 39.0241, on an assessment instrument required under Section 39.023(a) or (c), the performance of those students on subsequent assessment instruments required under those sections, aggregated by grade level and subject area;

(4) [for each campus, the number of students, disaggregated by major student subpopulations, that agree under Section 28.025(b) to take courses under the minimum high school program;

(See added Subdivision (12) below.)

~~[(5)]~~ the percentage of students, aggregated by grade level, provided accelerated instruction under Section 28.0211(c), the

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SECTION 48. (a) Section 39.301(c), Education Code, is amended to read as follows:

(c) Indicators for reporting purposes must include:

(1) the percentage of graduating students who meet the course requirements established under Section 28.025(c-1) for endorsements under that section ~~*[by State Board of Education rule for the minimum high school program, the recommended high school program, and the advanced high school program];*~~

(2) - (3) Same as House version.

(4) for each campus, the number of students, disaggregated by major student subpopulations, that ~~[agree under Section 28.025(b) to]~~ take courses under the *foundation [minimum] high school program and take additional courses to earn an endorsement under Section 28.025(c-1), disaggregated by type of endorsement;*

(5) the percentage of students, aggregated by grade level, provided accelerated instruction under Section 28.0211(c), the

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SECTION 57. Same as House version except as follows:

(c) Same as House version.

(1) - (3) Same as House version.

(4) Same as Senate version.

(5) - (12) Same as Senate version.

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results of assessment instruments administered under that section, the percentage of students promoted through the grade placement committee process under Section 28.0211, the subject of the assessment instrument on which each student failed to perform satisfactorily under each performance standard under Section 39.0241, and the performance of those students in the school year following that promotion on the assessment instruments required under Section 39.023;

(5) ~~[(6)]~~ the percentage of students of limited English proficiency exempted from the administration of an assessment instrument under Sections 39.027(a)(1) and (2);

(6) ~~[(7)]~~ the percentage of students in a special education program under Subchapter A, Chapter 29, assessed through assessment instruments developed or adopted under Section 39.023(b);

(7) ~~[(8)]~~ the percentage of students who satisfy the college readiness measure;

(8) ~~[(9)]~~ the measure of progress toward dual language proficiency under Section 39.034(b), for students of limited English proficiency, as defined by Section 29.052;

(9) ~~[(10)]~~ the percentage of students who are not educationally disadvantaged;

(10) ~~[(11)]~~ the percentage of students who enroll and begin instruction at an institution of higher education in the school year following high school graduation; ~~and~~

(11) ~~[(12)]~~ the percentage of students who successfully complete the first year of instruction at an institution of higher education without needing a developmental education course; and

(12) for each campus, the number of students, disaggregated by major student subpopulations, that graduate;

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results of assessment instruments administered under that section, the percentage of students promoted through the grade placement committee process under Section 28.0211, the subject of the assessment instrument on which each student failed to perform satisfactorily under each performance standard under Section 39.0241, and the performance of those students in the school year following that promotion on the assessment instruments required under Section 39.023;

(6) the percentage of students of limited English proficiency exempted from the administration of an assessment instrument under Sections 39.027(a)(1) and (2);

(7) the percentage of students in a special education program under Subchapter A, Chapter 29, assessed through assessment instruments developed or adopted under Section 39.023(b);

(8) the percentage of students who satisfy the college readiness measure;

(9) the measure of progress toward dual language proficiency under Section 39.034(b), for students of limited English proficiency, as defined by Section 29.052;

(10) the percentage of students who are not educationally disadvantaged;

(11) the percentage of students who enroll and begin instruction at an institution of higher education in the school year following high school graduation; and

(12) the percentage of students who successfully complete the first year of instruction at an institution of higher education without needing a developmental education course.

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<u>(A) under the foundation high school program;</u> <u>(B) under the distinguished level of achievement under the foundation high school program; and</u> <u>(C) with each category of endorsement under Section 28.025(c-1).</u>		
(b) This section applies beginning with the 2014-2015 school year.	(b) Same as House version.	(b) Same as House version.
SECTION 63. (a) Section 39.305(b), Education Code, is amended. (b) This section applies beginning with the 2014-2015 school year.	No equivalent provision.	Same as Senate version.
No equivalent provision.	SECTION 49. Subchapter J, Chapter 39, Education Code, is amended by adding Section 39.309 to read as follows: <u>Sec. 39.309. TEXAS SCHOOL ACCOUNTABILITY DASHBOARD. (a) The agency shall develop and maintain an Internet website, separate from the agency's Internet website, to be known as the Texas School Accountability Dashboard for the public to access school district and campus accountability information.</u> <u>(b) The commissioner shall adopt, for use on the Texas School Accountability Dashboard, a performance index in each of the following areas:</u> <u>(1) student achievement;</u> <u>(2) student progress;</u> <u>(3) closing performance gaps; and</u> <u>(4) postsecondary readiness.</u> <u>(c) The Texas School Accountability Dashboard developed under Subsection (a) must include:</u> <u>(1) performance information for each district and campus in</u>	SECTION 58. Substantially the same as Senate version.

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areas specified by Subsection (b) and must allow for comparison between districts and campuses in each of the areas;
(2) a comparison of the number of students enrolled in each district, including:
(A) the percentage of students of limited English proficiency, as defined by Section 29.052;
(B) the percentage of students who are unschooled asylees or refugees, as defined by Section 39.027(a-1);
(C) the percentage of students who are educationally disadvantaged; and
(D) the percentage of students with disabilities;
(3) a comparison of performance information for each district and campus disaggregated by race, ethnicity, and populations served by special programs, including special education, bilingual education, and special language programs; and
(4) a comparison of performance information by subject area.

SECTION 64. (a) Section 39.332(b), Education Code, is amended by amending Subdivision (23) and adding Subdivision (24) to read as follows:

(23) The report must contain an evaluation of the availability of categories of endorsements under Section 28.025(c-1), including the following information for each school district:

(A) the categories of endorsements under Section 28.025(c-1) for which the district offers all courses for curriculum requirements as determined by board rule; and

(B) the district's economic, geographic, and demographic information, as determined by the commissioner.

(24) The report must contain any additional information considered important by the commissioner or the State Board of Education.

SECTION 50. (a) Section 39.332(b), Education Code, is amended by amending Subdivision (23) and adding Subdivision (24) to read as follows:

(23) The report must contain an evaluation of the availability of endorsements under Section 28.025(c-1), including the following information for each school district:

(A) the endorsements under Section 28.025(c-1) for which the district offers all courses for curriculum requirements as determined by board rule; and

(B) the district's economic, geographic, and demographic information, as determined by the commissioner.

(24) The report must contain any additional information considered important by the commissioner or the State Board of Education.

SECTION 59. Same as Senate version.

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(b) This section applies beginning with the 2014-2015 school year.

SECTION 65. (a) Subchapter L, Chapter 39, Education Code, is amended by adding Section 39.363 to read as follows:
Sec. 39.363. NOTICE ON AGENCY WEBSITE. Not later than **August 31** of each year, the agency shall make the following information available to the public on the agency's Internet website:

(1) the letter performance rating assigned to each school district and campus under Section 39.054 and each distinction designation awarded to a school district or campus under Subchapter G, Chapter 39;

(2) the letter performance rating assigned to a school district and each campus in the district by the district under Section 39.0545; and

(3) the letter financial accountability rating assigned to each school district and open-enrollment charter school under Section 39.082.

(b) This section applies beginning with the 2013-2014 school year.

No equivalent provision.

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(b) This section applies beginning with the 2014-2015 school year.

No equivalent provision.

No equivalent provision.

SECTION 51. No equivalent provision. [Secs. 42.154(a) and (c) were amended by SECTION 51, which was subsequently deleted by FA3(3).]

CONFERENCE

SECTION 60. (a) Substantially the same as House version except changes the deadline to **October 1** of each year.

(b) Same as House version.

~~SECTION 61. Sections 42.154(a) and (c), Education Code, are amended to read as follows:~~

~~(a) For each full-time equivalent student in average daily attendance in an approved career and technology education program in grades nine through 12, [or] in career and technology education programs for students with disabilities in grades seven through 12, or in a course in career explorations in grade seven or eight, a district is entitled to:~~

~~(1) an annual allotment equal to the adjusted basic allotment~~

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SECTION 66. (a) Section 51.3062, Education Code, is amended by adding Subsection (q-3) to read as follows:

No equivalent provision.

SECTION 52. (a) Section 51.3062, Education Code, is amended by amending Subsections (i) and (q-1) to read as follows: [FA2(6); FA25(2)]

(i) The institution of higher education may refer a student to developmental coursework as considered necessary by the institution to address a student's deficiencies in the student's readiness to perform freshman-level academic coursework, except that the institution may not require enrollment in developmental coursework with respect to a student previously [determined under Subsection (q-1) or] determined by any institution of higher education to have met college-

~~multiplied by a weight of 1.35; and
(2) \$50, if the student is in grades nine through 12 and enrolled in:
(A) two or more advanced career and technology education classes for a total of three or more credits; or
(B) an advanced course as part of a tech-prep program under Subchapter T, Chapter 61.
(c) Funds allocated under this section, other than an indirect cost allotment established under State Board of Education rule, must be used in providing:
(1) career and technology education programs in grades nine through 12 or career and technology education programs for students with disabilities in grades seven through 12 under Sections 29.182, 29.183, and 29.184; or
(2) courses in career explorations for students in grade seven or eight.~~

~~[The conference committee may have exceeded the limitations imposed on its jurisdiction, but only the presiding officer can make the final determination on this issue.]~~

SECTION 62. (a) Same as House version except as follows:

Same as House version.

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readiness standards. An institution that requires a student to enroll in developmental coursework must offer a range of developmental coursework, including online coursework, or instructional support that includes the integration of technology to efficiently address the particular developmental needs of the student.

No equivalent provision.

(q-1) A student who has ~~[completed a recommended or advanced high school program as determined under Section 28.025 and]~~ demonstrated the performance standard for college readiness as provided by *Section 39.024* on the postsecondary readiness assessment instruments adopted under Section 39.0238 for Algebra II and English III ~~[end of course assessment instruments]~~ is exempt from the requirements of this section with respect to those content areas. The commissioner of higher education by rule shall establish the period for which an exemption under this subsection is valid. [FA25(3)]

No equivalent provision.

No equivalent provision.

No equivalent provision.

(q-3) [Deleted by FA2(7)]

(q-3) A student who successfully completes a college preparatory course under Section 28.014 is exempt from the requirements of this section with respect to the content area of the course. The commissioner of higher education by rule shall establish the period for which an exemption under this subsection is valid.

No equivalent provision.

(q-1) A student who has ~~[completed a recommended or advanced high school program as determined under Section 28.025 and]~~ demonstrated the performance standard for college readiness as provided by *Section 28.008 [39.024]* on the postsecondary readiness assessment instruments adopted under Section 39.0238 for Algebra II and English III ~~[end of course assessment instruments]~~ is exempt from the requirements of this section with respect to those content areas. The commissioner of higher education by rule shall establish the period for which an exemption under this subsection is valid.

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(b) This section applies beginning with the ~~2014-2015~~ school year.

Same as Senate version.

SECTION 63. Same as House version except as follows:

(q-2) A student who successfully completes a college preparatory course under Section 28.014 is exempt from the requirements of this section with respect to the content area of the course. The commissioner of higher education by rule shall establish the period for which an exemption under this subsection is valid. *The exemption applies only at the institution of higher education that partners with the school*

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district in which the student is enrolled to provide the course, except that the commissioner by rule may determine the manner in which the exemption may be applied to institutions of higher education other than the partnering institution.

(b) This section applies beginning with the 2013-2014 school year.

(b) Same as House version.

(b) Same as House version.

SECTION 67. (a) Section 51.803, Education Code, is amended by amending Subsections (a), (b), and (d) and adding Subsection (m) to read as follows:

(a) Subject to Subsection (a-1), each general academic teaching institution shall admit an applicant for admission to the institution as an undergraduate student if the applicant graduated with a grade point average in the top 10 percent of the student's high school graduating class in one of the two school years preceding the academic year for which the applicant is applying for admission and:

(1) the applicant graduated from a public or private high school in this state accredited by a generally recognized accrediting organization or from a high school operated by the United States Department of Defense;

(2) the applicant:

(A) successfully completed:

(i) at a public high school, the curriculum requirements established under Section 28.025 for the distinguished level of achievement under the foundation ~~[recommended or advanced]~~ high school program; or

SECTION 53. (a) Section 51.803, Education Code, is amended by amending Subsections (a), (b), and (d) and adding Subsection (m) to read as follows:

(a) Subject to Subsection (a-1), each general academic teaching institution shall admit an applicant for admission to the institution as an undergraduate student if the applicant graduated with a grade point average in the top 10 percent of the student's high school graduating class in one of the two school years preceding the academic year for which the applicant is applying for admission and:

(1) the applicant graduated from a public or private high school in this state accredited by a generally recognized accrediting organization or from a high school operated by the United States Department of Defense;

(2) the applicant:

(A) successfully completed:

(i) at a public high school, the curriculum requirements established under Section 28.025 for the foundation ~~[recommended or advanced]~~ high school program plus one additional science credit and one additional mathematics credit, which must be an Algebra II credit if an Algebra II credit is not used to satisfy the curriculum requirements for the foundation high school program or the commissioner

SECTION 64. Same as House version except as follows:

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(ii) at a high school to which Section 28.025 does not apply, a curriculum that is equivalent in content and rigor to the distinguished level of achievement under the foundation ~~[recommended or advanced]~~ high school program; or

(B) satisfied ACT's College Readiness Benchmarks on the ACT assessment applicable to the applicant or earned on the SAT assessment a score of at least 1,500 out of 2,400 or the equivalent; and

(3) if the applicant graduated from a high school operated by the United States Department of Defense, the applicant is a Texas resident under Section 54.052 or is entitled to pay tuition fees at the rate provided for Texas residents under Section 54.241(d) ~~[54.058(d)]~~ for the term or semester to which admitted.

(b) An applicant who does not satisfy the curriculum requirements prescribed by Subsection (a)(2)(A)(i) or (ii) is considered to have satisfied those requirements if the student completed the portion of the distinguished level of achievement under the foundation high school program ~~[recommended or advanced]~~ curriculum or of the curriculum equivalent in content and rigor, as applicable, that was available to the student but was unable to complete the remainder of the curriculum solely because courses necessary to complete the remainder were unavailable to the student at the appropriate times in the student's high school career as a result of course scheduling, lack of enrollment capacity, or another cause not within the student's control.

(d) For purposes of Subsection (c)(2), a student's official transcript or diploma must, not later than the end of the student's junior year, indicate:

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may approve a locally developed Algebra II equivalent for credit for high school graduation; or

(ii) at a high school to which Section 28.025 does not apply, a curriculum that is equivalent in content and rigor to the curriculum prescribed by Subparagraph (i) ~~[recommended or advanced high school program]~~; or

(B) satisfied ACT's College Readiness Benchmarks on the ACT assessment applicable to the applicant or earned on the SAT assessment a score of at least 1,500 out of 2,400 or the equivalent; and

(3) if the applicant graduated from a high school operated by the United States Department of Defense, the applicant is a Texas resident under Section 54.052 or is entitled to pay tuition fees at the rate provided for Texas residents under Section 54.241(d) ~~[54.058(d)]~~ for the term or semester to which admitted. [FA18(2),FA19]

(b) An applicant who does not satisfy the curriculum requirements prescribed by Subsection (a)(2)(A)(i) or (ii) is considered to have satisfied those requirements if the student completed the portion of the ~~[recommended or advanced]~~ curriculum requirements prescribed by Subsection (a)(2)(A)(i) or (ii) ~~[or of the curriculum equivalent in content and rigor]~~, as applicable, that was available to the student but was unable to complete the remainder of the curriculum solely because courses necessary to complete the remainder were unavailable to the student at the appropriate times in the student's high school career as a result of course scheduling, lack of enrollment capacity, or another cause not within the student's control. [FA18(2)]

(d) For purposes of Subsection (c)(2), a student's official transcript or diploma must, not later than the end of the student's junior year, indicate:

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(1) whether the student has satisfied or is on schedule to satisfy the requirements of Subsection (a)(2)(A)(i) or (ii), as applicable; or
(2) if Subsection (b) applies to the student, whether the student has completed the portion of the *distinguished level of achievement under the foundation high school program* ~~[recommended or advanced]~~ *curriculum or of the curriculum equivalent in content and rigor*, as applicable, that was available to the student.

(m) The Texas Higher Education Coordinating Board and the commissioner of education shall jointly adopt rules to establish eligibility requirements for admission under this section as to curriculum requirements for high school graduation under Subsection (a)(2)(A) for students participating under the *transition plan described by Section 28.025(h) regarding high school curriculum completion.* This subsection expires September 1, 2020.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 68. (a) Section 51.805, Education Code, is amended by amending Subsection (a) and adding Subsection (g) to read as follows:

(a) A graduating student who does not qualify for admission under Section 51.803 or 51.804 may apply to any general academic teaching institution if the student:

(1) successfully completed [satisfies the requirements of]:

(A) at a public high school, the curriculum requirements

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(1) whether the student has satisfied or is on schedule to satisfy the *curriculum* requirements prescribed by ~~[of]~~ Subsection (a)(2)(A)(i) or (ii), as applicable; or
(2) if Subsection (b) applies to the student, whether the student has completed the portion of the ~~[recommended or advanced]~~ curriculum *requirements prescribed by Subsection (a)(2)(A)(i) or (ii)* ~~[or of the curriculum equivalent in content and rigor]~~, as applicable, that was available to the student. [FA18(2)]

(m) The Texas Higher Education Coordinating Board and the commissioner of education shall jointly adopt rules to establish eligibility requirements for admission under this section as to the curriculum for high school graduation under Subsections (a)(2)(A) *and (b)* for students participating in the *recommended or advanced high school program so that the admission of those students under this section is not affected by their participation in the recommended or advanced high school program.* This subsection expires September 1, 2020. [FA18(2)]

(b) Same as House version.

SECTION 54. (a) Section 51.805, Education Code, is amended by amending Subsection (a) and adding Subsection (g) to read as follows:

(a) A graduating student who does not qualify for admission under Section 51.803 or 51.804 may apply to any general academic teaching institution if the student:

(1) successfully completed [satisfies the requirements of]:

(A) at a public high school, the curriculum requirements

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(m) Substantially the same as Senate version.

(b) Same as House version.

SECTION 65. (a) Substantially the same as Senate version.

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established under Section 28.025 for the foundation high school program; or
(B) at a high school to which Section 28.025 does not apply, a curriculum that is equivalent in content and rigor to the foundation high school program [(1) Section 51.803(a)(2)(A) or 51.803(b), as applicable to the student, or Section 51.803(a)(2)(B)]; or [and]
(2) satisfied ACT's College Readiness Benchmarks on the ACT assessment applicable to the applicant or earned on the SAT assessment a score of at least 1,500 out of 2,400 or the equivalent [Sections 51.803(e)(2) and 51.803(d)].
(g) The Texas Higher Education Coordinating Board and the commissioner of education shall jointly adopt rules to establish eligibility requirements for admission under this section as to curriculum requirements for high school graduation under Subsection (a) for students participating under the transition plan described by Section 28.025(h) regarding high school curriculum completion. This subsection expires September 1, 2020.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 69. (a) Section 51.807(b), Education Code, is amended to read as follows:

(b) The Texas Higher Education Coordinating Board, after consulting with the Texas Education Agency, by rule shall establish standards for determining for purposes of this subchapter:

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established under Section 28.025 for the foundation high school program; or
(B) at a high school to which Section 28.025 does not apply, a curriculum that is equivalent in content and rigor to the foundation high school program [(1) Section 51.803(a)(2)(A) or 51.803(b), as applicable to the student, or Section 51.803(a)(2)(B)]; or [and]
(2) satisfied ACT's College Readiness Benchmarks on the ACT assessment applicable to the applicant or earned on the SAT assessment a score of at least 1,500 out of 2,400 or the equivalent [Sections 51.803(e)(2) and 51.803(d)].
(g) The Texas Higher Education Coordinating Board and the commissioner of education shall jointly adopt rules to establish eligibility requirements for admission under this section as to the curriculum for high school graduation under Subsection (a)(1) for students participating in the *minimum, recommended, or advanced high school program so that the admission requirements for those students under this section are not more stringent than the admission requirements under this section for students participating in the foundation high school program.* This subsection expires September 1, 2020. [FA18(3)]

(b) Same as House version.

SECTION 55. (a) Section 51.807(b), Education Code, is amended to read as follows:

(b) The Texas Higher Education Coordinating Board, after consulting with the Texas Education Agency, by rule shall establish standards for determining for purposes of this subchapter:

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(b) Same as House version.

SECTION 66. Same as House version.

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- (1) whether a private high school is accredited by a generally recognized accrediting organization; and
- (2) whether a person completed a high school curriculum that is equivalent in content and rigor to the curriculum requirements established under Section 28.025 for the foundation ~~[recommended or advanced]~~ high school program *or the distinguished level of achievement under the foundation high school program.*
- (b) This section applies beginning with the 2014-2015 school year.

SECTION 70. (a) Subchapter A, Chapter 56, Education Code, is amended by adding Section 56.009 to read as follows:
Sec. 56.009. ELIGIBILITY BASED ON GRADUATION UNDER CERTAIN HIGH SCHOOL PROGRAMS. To the extent that a person's eligibility to *participate in any program under this chapter, including Subchapters K, Q, and R,* is contingent on the person graduating under the recommended or advanced high school program, as those programs existed before the adoption of H.B. No. _____, 83rd Legislature, Regular Session, 2013, the Texas Higher Education Coordinating Board and the commissioner of education shall jointly adopt rules to modify, clarify, or otherwise establish for affected programs appropriate eligibility requirements regarding high school curriculum completion.

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- (1) whether a private high school is accredited by a generally recognized accrediting organization; and
- (2) whether a person completed a high school curriculum that is equivalent in content and rigor to the curriculum requirements established under Section 28.025 for the foundation ~~[recommended or advanced]~~ high school program. [FA18(4)]
- (b) This section applies beginning with the 2014-2015 school year.

SECTION 56. (a) Subchapter A, Chapter 56, Education Code, is amended by adding Section 56.009 to read as follows:
Sec. 56.009. ELIGIBILITY FOR FINANCIAL AID BASED ON GRADUATION UNDER CERTAIN HIGH SCHOOL PROGRAMS. (a) *Notwithstanding any other provision of this title,* to the extent that a person's eligibility to *receive financial aid, including a grant, scholarship, or loan, authorized under this chapter or under any other provision of this title,* is contingent on graduation under the recommended or advanced high school program, as those programs existed before the adoption of H.B. No. 5, 83rd Legislature, Regular Session, 2013, the Texas Higher Education Coordinating Board and the commissioner of education shall jointly adopt rules to modify affected eligibility requirements regarding completion of any specific high school programs *to require successful completion of the foundation high school program under Section 28.025 plus successful completion of one additional science course and one additional mathematics course, which must be an Algebra II course if an Algebra II course is not used to complete the foundation high school program or the*

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SECTION 67. Substantially the same as House version.

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commissioner may approve a locally developed Algebra II equivalent for credit for high school graduation.

[FA18(5),FA19]

(b) For purposes of Subsection (a), a student who graduated under the recommended or advanced high school program is considered to have successfully completed the curriculum required under Subsection (a), including the additional courses required under that subsection. This subsection expires September 1, 2020. [FA18(5)]

(b) This section applies beginning with the 2014-2015 school year.

SECTION 71. (a) Section 56.3041, Education Code, is amended to read as follows:

Sec. 56.3041. INITIAL ELIGIBILITY OF PERSON GRADUATING FROM HIGH SCHOOL ON OR AFTER MAY 1, 2013, AND ENROLLING IN A GENERAL ACADEMIC TEACHING INSTITUTION.

(a) Notwithstanding Section 56.304(a), to be eligible initially for a TEXAS grant, a person graduating from high school on or after May 1, 2013, and enrolling in a general academic teaching institution must:

(1) be a resident of this state as determined by coordinating board rules;

(2) meet the academic requirements prescribed by Paragraph (A), (B), or (C) as follows:

(A) be a graduate of a public or accredited private high school in this state who completed the foundation [recommended] high school program established under Section 28.025 or its equivalent and have accomplished any two or more of the

(b) Same as House version

SECTION 57. (a) Section 56.3041, Education Code, is amended to read as follows:

Sec. 56.3041. INITIAL ELIGIBILITY OF PERSON GRADUATING FROM HIGH SCHOOL ON OR AFTER MAY 1, 2013, AND ENROLLING IN A GENERAL ACADEMIC TEACHING INSTITUTION.

(a) Notwithstanding Section 56.304(a), to be eligible initially for a TEXAS grant, a person graduating from high school on or after May 1, 2013, and enrolling in a general academic teaching institution must:

(1) be a resident of this state as determined by coordinating board rules;

(2) meet the academic requirements prescribed by Paragraph (A), (B), or (C) as follows:

(A) be a graduate of a public or accredited private high school in this state who completed the curriculum requirements prescribed by Section 51.803(a)(2)(A)(i) or (ii), as applicable, ~~[recommended high school program established under~~

(b) Same as House version.

SECTION 68. Same as House version except as follows:

(a) Same as House version except same as Senate version in Subdivision (2)(A)(iv) below.

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following:

- (i) ~~[graduation under the advanced high school program established under Section 28.025 or its equivalent,]~~ successful completion of the course requirements of the international baccalaureate diploma program[;] or earning of the equivalent of at least 12 semester credit hours of college credit in high school through courses described in Sections 28.009(a)(1), (2), and (3);
 - (ii) satisfaction of the Texas Success Initiative (TSI) college readiness benchmarks prescribed by the coordinating board under Section 51.3062(f) on any assessment instrument designated by the coordinating board under Section 51.3062(c) ~~[or (e)]~~ or qualification for an exemption as described by Section 51.3062(p), (q), or (q-1);
 - (iii) graduation in the top one-third of the person's high school graduating class or graduation from high school with a grade point average of at least 3.0 on a four-point scale or the equivalent; or
 - (iv) completion for high school credit of at least one advanced mathematics course following the successful completion of an Algebra II course~~[-as permitted by Section 28.025(b-3);]~~ or at least one advanced career and technical course~~[-as permitted by Section 28.025(b-2)];~~
- (B) have received an associate degree from a public or private institution of higher education; or
- (C) if sufficient money is available, meet the eligibility criteria described by Section 56.304(a)(2)(A);
- (3) meet financial need requirements established by the coordinating board;
- (4) be enrolled in an undergraduate degree or certificate

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~~*Section 28.025 or its equivalent*~~ and have accomplished any two or more of the following: [FA18(6)]

- (i) ~~[graduation under the advanced high school program established under Section 28.025 or its equivalent,]~~ successful completion of the course requirements of the international baccalaureate diploma program[;] or earning of the equivalent of at least 12 semester credit hours of college credit in high school through courses described in Sections 28.009(a)(1), (2), and (3);
 - (ii) satisfaction of the Texas Success Initiative (TSI) college readiness benchmarks prescribed by the coordinating board under Section 51.3062(f) on any assessment instrument designated by the coordinating board under Section 51.3062(c) ~~[or (e)]~~ or qualification for an exemption as described by Section 51.3062(p), (q), or (q-1); [FA25(4)]
 - (iii) graduation in the top one-third of the person's high school graduating class or graduation from high school with a grade point average of at least 3.0 on a four-point scale or the equivalent; or
 - (iv) completion for high school credit of at least one advanced mathematics course following the successful completion of an Algebra II course~~[-as permitted by Section 28.025(b-3);]~~ or at least one advanced career and technical *or technology applications* course~~[-as permitted by Section 28.025(b-2)];~~ [FA14(8)]
- (B) have received an associate degree from a public or private institution of higher education; or
- (C) if sufficient money is available, meet the eligibility criteria described by Section 56.304(a)(2)(A);
- (3) meet financial need requirements established by the coordinating board;
- (4) be enrolled in an undergraduate degree or certificate

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program at the general academic teaching institution;
(5) except as provided under rules adopted under Section 56.304(h), be enrolled as:
(A) an entering undergraduate student for at least three-fourths of a full course load, as determined by the coordinating board, not later than the 16th month after the calendar month in which the person graduated from high school;
(B) an entering undergraduate student who entered military service not later than the first anniversary of the date the person graduated from high school and who enrolled for at least three-fourths of a full course load, as determined by the coordinating board, at the general academic teaching institution not later than 12 months after being honorably discharged from military service; or
(C) a continuing undergraduate student for at least three-fourths of a full course load, as determined by the coordinating board, not later than the 12th month after the calendar month in which the person received an associate degree from a public or private institution of higher education;
(6) have applied for any available financial aid or assistance; and
(7) comply with any additional nonacademic requirements adopted by the coordinating board under this subchapter.

No equivalent provision.

(b) The Texas Higher Education Coordinating Board and the

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program at the general academic teaching institution;
(5) except as provided under rules adopted under Section 56.304(h), be enrolled as:
(A) an entering undergraduate student for at least three-fourths of a full course load, as determined by the coordinating board, not later than the 16th month after the calendar month in which the person graduated from high school;
(B) an entering undergraduate student who entered military service not later than the first anniversary of the date the person graduated from high school and who enrolled for at least three-fourths of a full course load, as determined by the coordinating board, at the general academic teaching institution not later than 12 months after being honorably discharged from military service; or
(C) a continuing undergraduate student for at least three-fourths of a full course load, as determined by the coordinating board, not later than the 12th month after the calendar month in which the person received an associate degree from a public or private institution of higher education;
(6) have applied for any available financial aid or assistance; and
(7) comply with any additional nonacademic requirements adopted by the coordinating board under this subchapter.

(b) For purposes of Subsection (a)(2)(A), a student who graduated under the recommended or advanced high school program is considered to have successfully completed the curriculum requirements prescribed by Section 51.803(a)(2)(A)(i). This subsection expires September 1, 2020. [FA18(7)]

No equivalent provision.

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(b) Substantially the same as Senate version.

Same as Senate version.

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<u>commissioner of education shall jointly adopt rules to establish eligibility requirements for a grant under this section as to curriculum requirements for high school graduation under Subsection (a)(2)(A) for students participating under the transition plan described by Section 28.025(h) regarding high school curriculum completion. This subsection expires September 1, 2020.</u>		
(b) This section applies beginning with the 2014-2015 school year.	(b) Same as House version.	(b) Same as House version.
SECTION 72. (a) Section 61.0517(a), Education Code, is amended. (b) This section applies beginning with the 2014-2015 school year.	SECTION 58. Same as House version.	SECTION 69. Same as House version.
SECTION 73. (a) Section 61.792(b), Education Code, is amended. (b) This section applies beginning with the 2014-2015 school year.	SECTION 59. Same as House version.	SECTION 70. Same as House version.
SECTION 74. (a) Section 61.852(a), Education Code, is amended. (b) This section applies beginning with the 2014-2015 school year.	SECTION 60. Same as House version.	SECTION 71. Same as House version.
SECTION 75. (a) Section 61.855(d), Education Code, is amended. (b) This section applies beginning with the 2014-2015 school year.	SECTION 61. Same as House version.	SECTION 72. Same as House version.

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SECTION 76. (a) Section 61.861(c), Education Code, is amended.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 77. (a) Section 61.864, Education Code, is amended.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 78. (a) Section 78.10(b), Education Code, is amended to read as follows:

(b) The Texas Academy of Mathematics and Science is a division of The University of Texas at Brownsville and is under the management and control of the board. The academy serves the following purposes:

(1) to provide academically gifted and highly motivated junior and senior high school students with a challenging university-level curriculum that:

(A) allows students to complete high school graduation requirements~~[, including requirements adopted under Section 28.025]~~ for the foundation [advanced] high school program and the distinguished level of achievement under the foundation high school program and earn appropriate endorsements as provided by Section 28.025, while attending for academic credit a public institution of higher education;

(B) fosters students' knowledge of real-world mathematics and science issues and applications and teaches students to apply critical thinking and problem-solving skills to those issues and problems;

(C) includes the study of English, foreign languages, social studies, mathematics, science, and technology; and

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SECTION 62. Same as House version.

SECTION 63. Same as House version.

SECTION 64. (a) Section 78.10(b), Education Code, is amended to read as follows:

(b) The Texas Academy of Mathematics and Science is a division of The University of Texas at Brownsville and is under the management and control of the board. The academy serves the following purposes:

(1) to provide academically gifted and highly motivated junior and senior high school students with a challenging university-level curriculum that:

(A) allows students to complete high school graduation requirements~~[, including requirements adopted under Section 28.025]~~ for an endorsement as provided by Section 28.025(c-1) ~~[the advanced high school program]~~, while attending for academic credit a public institution of higher education;

(B) fosters students' knowledge of real-world mathematics and science issues and applications and teaches students to apply critical and computational thinking and problem-solving skills to those issues and problems; [FA14(9)]

(C) includes the study of English, foreign languages, social studies, mathematics, science, and technology; and

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SECTION 73. Same as House version.

SECTION 74. Same as House version.

SECTION 75. Same as House version except includes the application of ***computational*** thinking among the teaching purposes of the academy.

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(D) offers students learning opportunities related to mathematics and science through in-depth research and field-based studies;

(2) to provide students with an awareness of mathematics and science careers and professional development opportunities through seminars, workshops, collaboration with postsecondary and university students including opportunities for summer studies, internships in foreign countries, and similar methods; and

(3) to provide students with social development activities that enrich the academic curriculum and student life, including, as determined appropriate by the academy, University Interscholastic League activities and other extracurricular activities.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 79. (a) Section 87.505(b), Education Code, is amended to read as follows:

(b) The Texas Academy of International Studies is a division of Texas A&M International University and is under the management and control of the board. The academy serves the following purposes:

(1) to provide academically gifted and highly motivated junior and senior high school students with a challenging university-level curriculum that:

(A) allows students to complete high school graduation requirements~~[-, including requirements adopted under Section 28.025]~~ for the foundation [advanced] high school program and *the distinguished level of achievement under the foundation high school program* and earn appropriate endorsements as provided by Section 28.025, while attending

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(D) offers students learning opportunities related to mathematics and science through in-depth research and field-based studies;

(2) to provide students with an awareness of mathematics and science careers and professional development opportunities through seminars, workshops, collaboration with postsecondary and university students including opportunities for summer studies, internships in foreign countries, and similar methods; and

(3) to provide students with social development activities that enrich the academic curriculum and student life, including, as determined appropriate by the academy, University Interscholastic League activities and other extracurricular activities.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 65. (a) Section 87.505(b), Education Code, is amended to read as follows:

(b) The Texas Academy of International Studies is a division of Texas A&M International University and is under the management and control of the board. The academy serves the following purposes:

(1) to provide academically gifted and highly motivated junior and senior high school students with a challenging university-level curriculum that:

(A) allows students to complete high school graduation requirements~~[-, including requirements adopted under Section 28.025]~~ for an endorsement as provided by *Section 28.025(c-1)* ~~[the advanced high school program]~~, while attending for academic credit a public institution of higher education;

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SECTION 76. Same as House version.

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for academic credit a public institution of higher education;
(B) fosters students' knowledge of real-world international issues and problems and teaches students to apply critical thinking and problem-solving skills to those issues and problems;
(C) includes the study of English, foreign languages, social studies, anthropology, and sociology;
(D) is presented through an interdisciplinary approach that introduces and develops issues, especially issues related to international concerns, throughout the curriculum; and
(E) offers students learning opportunities related to international issues through in-depth research and field-based studies;
(2) to provide students with an awareness of international career and professional development opportunities through seminars, workshops, collaboration with postsecondary students from other countries, summer academic international studies internships in foreign countries, and similar methods; and
(3) to provide students with social development activities that enrich the academic curriculum and student life, including, as determined appropriate by the academy, University Interscholastic League activities and other extracurricular activities generally offered by public high schools.
(b) This section applies beginning with the 2014-2015 school year.

No equivalent provision.

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(B) fosters students' knowledge of real-world international issues and problems and teaches students to apply critical thinking and problem-solving skills to those issues and problems;
(C) includes the study of English, foreign languages, social studies, anthropology, and sociology;
(D) is presented through an interdisciplinary approach that introduces and develops issues, especially issues related to international concerns, throughout the curriculum; and
(E) offers students learning opportunities related to international issues through in-depth research and field-based studies;
(2) to provide students with an awareness of international career and professional development opportunities through seminars, workshops, collaboration with postsecondary students from other countries, summer academic international studies internships in foreign countries, and similar methods; and
(3) to provide students with social development activities that enrich the academic curriculum and student life, including, as determined appropriate by the academy, University Interscholastic League activities and other extracurricular activities generally offered by public high schools.
(b) This section applies beginning with the 2014-2015 school year.

SECTION __. (a) Section 130.008(d), Education Code, is amended to read as follows:
(d) A ~~[Except as provided by Subsection (d-1), a]~~ public junior college may enter into an agreement with a school district, organization, or other person that operates a high

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SECTION 77. (a) Same as Senate version except as follows:

(d) A ~~[Except as provided by Subsection (d-1), a]~~ public junior college may enter into an agreement with a school district, organization, or other person that operates a high

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school to offer a course as provided by this section regardless of whether the high school is located within the service area of the junior college district.

school to offer a course as provided by this section regardless of whether the high school is located within the service area of the junior college district.

(f) A student described by Subsection (a) may enroll in not more than three courses each school year offered as provided by this section.

[The conference committee may have exceeded the limitations imposed on its jurisdiction, but only the presiding officer can make the final determination on this issue.]

(b) This section applies beginning with the 2013-2014 school year. [FA9(1)]

(b) Same as Senate version.

SECTION 80. (a) Effective September 1, 2013, the following provisions of the Education Code are repealed:

SECTION 66. (a) Effective September 1, 2013, the following provisions of the Education Code are repealed:

SECTION 78. (a) Effective September 1, 2013, the following sections of the Education Code are repealed:

(1) Sections 29.190(b) and (e); and

(1) *[Repeal of Secs. 29.190(b) and (e) was deleted by FA6(3)]*

(1) Same as House version except also repeals **Section 29.190(d)**.

(See SECTION 35 above amending Sec. 39.024(b).)

(2) **Sections 39.024(b), (c), (d), (e), (f), (g), and (h);**

(2) Same as Senate version ~~except also repeals **Section 39.024(i)**.~~

(See SECTION 36 above amending Sec. 39.0241(a-2).)

(3) **Section 39.0241(a-2);**

(3) Same as Senate version.

(See SECTION 37 above amending Sec. 39.0242(b).)

(4) **Section 39.0242;** and [FA25(5)]

(4) Same as Senate version.

(2) Section 39.025(a-3).

(5) Section 39.025(a-3); and [FA2(8); FA9(2); FA25(6)]

(5) Same as House version except also repeals **Section 39.025(a-2)**.

No equivalent provision.

(6) *[Repeal of Sec. 51.3062(q-1) was added by FA9(2) and then repeal was deleted by FA25(7)]*

No equivalent provision.

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	(7) Section 130.008(d-1). [FA9(2)]	(See SECTION 62 above amending Sec. 51.3062(q-1).)
No equivalent provision.		(6) Same as Senate version.
(b) Effective September 1, 2014, the following provisions of the Education Code are repealed:	(b) Effective September 1, 2014, the following provisions of the Education Code are repealed:	(b) Same as House version.
(1) Section 28.002(q);	(1) Section 28.002(q);	
(2) Sections 28.0212(e) and (g);	(2) Sections 28.0212(e) and (g); [FA13(7)]	
(3) Sections 28.025(b-6), (b-8), and (g); (See SECTION 15 above amending Sec. 28.025(b-3).)	(3) Sections 28.025(b-3), (b-6), (b-8), and (g);	
(4) Section 39.0822; and	(4) Section 39.0822; and	
(5) Sections 39.0823(b) and (c).	(5) Sections 39.0823(b) and (c).	
SECTION 81. Transition provision.	SECTION 67. Same as House version.	SECTION 79. Same as House version except makes conforming changes.
SECTION 82. Not later than October 1, 2013, the commissioner of education shall adopt rules to administer Sections 39.025(a-1) and (a-2), Education Code, as amended by this Act.	SECTION 68. Same as House version.	SECTION 80. Same as House version.
SECTION 83. Section 39.027(a-2), Education Code, as added by this Act, applies to a student regardless of the date on which the student initially enrolled in a school in the United States.	SECTION 69. Same as House version.	SECTION 81. Same as House version.

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HOUSE VERSION

SECTION 84. If, on September 1, 2013, a person is serving on a committee or panel that advises the commissioner of education or the Texas Education Agency who would not be eligible for appointment under Section 39.038, Education Code, as added by this Act, the person's position on the committee or panel becomes vacant and shall be filled in accordance with applicable law.

SECTION 85. (a) The Texas Education Agency, in collaboration with the Texas Higher Education Coordinating Board and the Texas Workforce Commission, shall, through an external evaluator at a center for education research authorized by Section 1.005, Education Code, evaluate the implementation of the changes made by this Act to the curriculum requirements for high school graduation. The evaluation must include an estimation of this Act's effect on high school graduation rates, college readiness, college admissions, college completion, obtainment of workforce certificates, employment rates, and earnings.

(b) The commissioner of education shall submit an initial report regarding the review to the governor, lieutenant governor, and members of the legislature not later than December 1, 2015. The commissioner of education shall submit a final report regarding the review to the governor, lieutenant governor, and members of the legislature not later than December 1, 2017.

SECTION 86. Effective date.

SENATE VERSION (IE)

SECTION 70. Same as House version.

SECTION 71. Same as House version.

SECTION 72. Same as House version.

CONFERENCE

SECTION 82. Same as House version.

SECTION 83. Same as House version.

SECTION 84. Substantially the same as House version.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 25, 2013

TO: Honorable David Dewhurst, Lieutenant Governor, Senate
Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB5 by Aycock (Relating to public school accountability, including assessment, and curriculum requirements; providing a criminal penalty.), Conference Committee Report

Estimated Two-year Net Impact to General Revenue Related Funds for HB5, Conference Committee Report: a positive impact of \$11,376,839 through the biennium ending August 31, 2015.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2014	\$6,593,905
2015	\$4,782,934
2016	\$5,390,981
2017	\$5,672,081
2018	\$7,882,281

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund 1	Probable Savings/(Cost) from Foundation School Fund 193
2014	(\$2,056,095)	\$8,650,000
2015	(\$3,867,066)	\$8,650,000
2016	(\$3,259,019)	\$8,650,000
2017	(\$2,977,919)	\$8,650,000
2018	(\$767,719)	\$8,650,000

Fiscal Year	Change in Number of State Employees from FY 2013
2014	2.0
2015	2.0
2016	2.0
2017	2.0
2018	2.0

Fiscal Analysis

The bill would eliminate the Minimum, Recommended, and Advanced High School graduation programs, and would create the Foundation High School Program. The bill would create endorsements on a student's diploma and transcript if the student completes certain courses. The endorsements would include science, technology, engineering, and mathematics; business and industry; public services; arts and humanities; and multidisciplinary studies. The bill would require four credits in mathematics to earn any endorsement and would require each student to identify an endorsement the student intends to earn upon entering the ninth grade.

The bill would require the Commissioner of Education to develop a transition plan to implement the bill with respect to replacing the Minimum, Recommended, and Advanced High School graduation programs with the Foundation High School Program beginning with the 2014-15 school year.

The bill would require the Texas Education Agency (TEA) to redevelop assessment instruments administered to students with significant cognitive disabilities in alignment with federal law.

The bill would limit end-of-course assessments to Algebra I, Biology, English I, English II, and United States History. The bill would require the English I and II end-of-course assessments to assess both reading and writing in the same assessment. The bill would eliminate the requirement that a student's performance on an end-of-course assessment shall account for 15 percent of the student's final grade for the course.

The bill would require TEA to administer post-secondary readiness assessment instruments for Algebra II and English III at a district's option.

The bill would require the release of questions and answer keys to certain assessment instruments in fiscal years 2014-2017.

The bill would modify the terms of payment for the Instructional Materials Allotment.

The bill would exclude a student who is reported as a dropout, reenrolls, and drops out again in computing dropout and completion rates.

The bill would require TEA to develop and maintain an internet website known as the Texas School Accountability Dashboard which would provide performance indexes on certain criteria for each campus.

The bill would require TEA, in collaboration with the HECB and the Texas Workforce Commission, to evaluate, through an external evaluator, the implementation of the changes to the curriculum requirements for high school graduation that would be required by this bill.

Methodology

The bill would reduce the number of end-of-course assessments from 15 to 5.

Reducing the number of end-of-course assessments would result in savings of \$8.7 million annually.

The estimated savings for eliminating the Geometry, Chemistry, Physics, World Geography, and World History end-of-course assessments would be \$1.15 million per fiscal year, per end-of-course assessment. The estimated savings of combining the reading and writing end-of-course assessments into one assessment each for English I, English II, would be \$0.9 million annually.

This analysis assumes that the July and December administrations of the Algebra II and English III assessments would be eliminated. The estimated savings from eliminating the July and December administrations of the Algebra II assessment would be \$300,000 per fiscal year, and the estimated savings from eliminating the July and December administrations of the English III assessment would be \$1.7 million annually.

Based on information provided by TEA, the modification to PEIMS to collect information required by the bill would cost \$87,050 in fiscal year 2014.

Based on information provided by TEA, changes would be required to the educational materials system related to the modified terms of payment from the Instructional Materials Allotment at an estimated cost of \$5,000 in fiscal year 2014.

Based on information provided by TEA, the cost to redevelop assessment instruments administered to students with significant cognitive disabilities would be \$550,000 in fiscal year 2014 and \$550,000 in fiscal year 2015.

This analysis assumes the cost to release the questions and answer keys to certain assessment instruments would be \$2.4 million in fiscal year 2015, fiscal year 2016, and fiscal year 2017.

Based on information provided by TEA, one FTE would be required to calculate the non-cohort based graduation rate required by the modification to the calculation of completion and dropout rates. The estimated cost of this FTE, including salary, benefits, and other operating expenses, would be \$95,471 in fiscal year 2014 and \$87,471 in subsequent years.

Based on information provided by TEA, one FTE would be required to develop and maintain the Texas School Accountability Dashboard. The estimated cost of this FTE, including salary, benefits, and other operating expenses, would be \$112,161 in fiscal year 2014 and \$104,161 in subsequent years.

Based on information provided by TEA, the estimated cost to study the implementation of the changes to the curriculum requirements for high school graduation required by this bill would be \$0.3 million in fiscal year 2016 and \$0.2 million in fiscal year 2018.

To the extent that as a result of the bill, students will take additional developmental education classes at public institutions of higher education, there could be formula funding costs beginning in fiscal year 2016. The institutions may also realize additional tuition revenue tied to these students.

Technology

TEA estimates \$0.1 million in fiscal year 2014 to amend PEIMS.

Local Government Impact

The bill would create a Class B misdemeanor. A Class B misdemeanor is punishable by a fine of not more than \$2,000, confinement in jail for a term not to exceed 180 days, or both. Costs associated with enforcement, prosecution, and confinement could likely be absorbed within existing resources. Revenue from fines imposed and collected is not anticipated to have a significant fiscal impact.

A school district might experience savings from the reduced number of end-of-course assessments, although a district might incur some additional costs related to implementing the provisions of the bill.

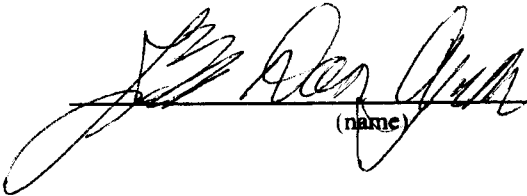
Source Agencies: 320 Texas Workforce Commission, 701 Central Education Agency, 781 Higher Education Coordinating Board

LBB Staff: UP, JBi, JSc, AH, GO

Certification of Compliance with Rule 13, Section 6(b), House Rules of Procedure

Rule 13, Section 6(b), House Rules of Procedure, requires that a copy of a conference committee report signed by a majority of each committee of the conference must be furnished to each member of the committee in person or if unable to deliver in person by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Section 10(a) of this rule. The paper copies of the report submitted to the chief clerk under Section 10(b) of this rule must contain a certificate that the requirement of this subsection has been satisfied, and that certificate must be attached to the printed copy of the report furnished to each member under Section 10(d) of this rule. Failure to comply with this subsection is not a sustainable point of order under this rule.

I certify that a copy of the conference committee report on 12 B. 5 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before submission of the paper copies of the report to the chief clerk under Section 10(b), Rule 13, House Rules of Procedure.



(name)

5-24-13

(date)